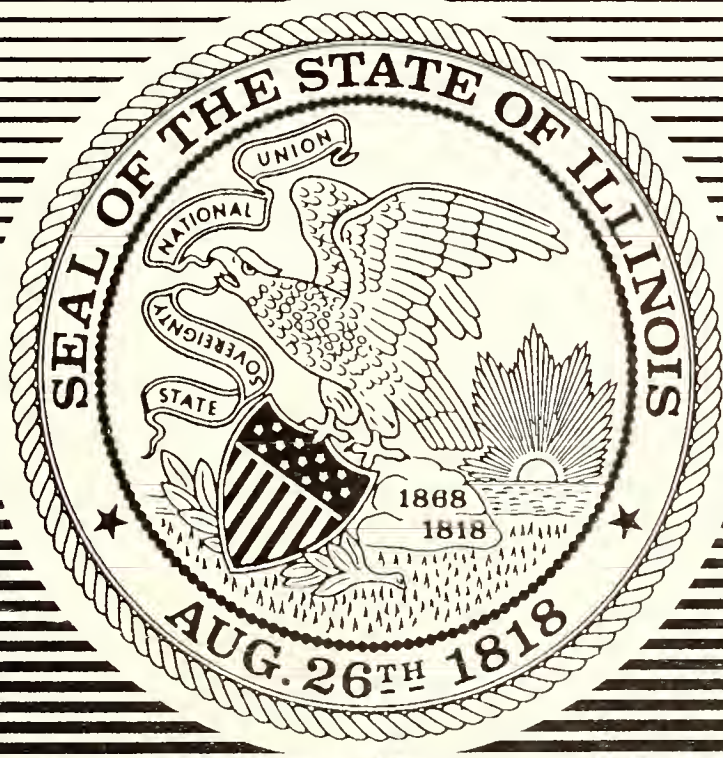


2001

# ILLINOIS

## REGISTER

RULES  
OF GOVERNMENTAL  
AGENCIES



Volume 25, Issue 41  
October 12, 2001

Pages 12,684 – 12,942

Index Department  
Administrative Code Div.  
111 East Monroe Street  
Springfield, IL 62756  
(217) 782-7017  
<http://www.cyberdriveillinois.com>



Printed on recycled paper

PUBLISHED BY JESSE WHITE • SECRETARY OF STATE

# TABLE OF CONTENTS

October 12, 2001 Volume 25, Issue 41

## PROPOSED RULES

NATURAL RESOURCES, DEPARTMENT OF	
Sport Fishing Regulations For The Waters Of Illinois	
17 Ill. Adm. Code 810 .....	12684
NUCLEAR SAFETY, DEPARTMENT OF	
Department Of Nuclear Safety Science Scholarship Program	
32 Ill. Adm. Code 700, Repealer .....	12746
PUBLIC AID, DEPARTMENT OF	
Hospital Services	
89 Ill. Adm. Code 148 .....	12756
REVENUE, DEPARTMENT OF	
Income Tax	
86 Ill. Adm. Code 100 .....	12759
SECRETARY OF STATE	
General Rules, Definitions	
92 Ill. Adm. Code 1000 .....	12776

## ADOPTED RULES

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF	
Reports Of Child Abuse And Neglect	
89 Ill. Adm. Code 300 .....	12781
LOTTERY, DEPARTMENT OF THE	
Lottery (General)	
11 Ill. Adm. Code 1770 .....	12812
PROCUREMENT POLICY BOARD	
General Policies	
2 Ill. Adm. Code 3002 .....	12817
PUBLIC AID, DEPARTMENT OF	
Medical Payment	
89 Ill. Adm. Code 140 .....	12820
REVENUE, DEPARTMENT OF	
Retailers' Occupation Tax	
86 Ill. Adm. Code 130 .....	12841

STATE POLICE, DEPARTMENT OF	
Individual's Right To Access And Review Criminal History Record Information	
20 Ill. Adm. Code 1210 .....	12859

## EMERGENCY RULES

COMMUNITY COLLEGE BOARD, ILLINOIS	
Administration Of The Illinois Public Community College Act	
23 Ill. Adm. Code 1501 .....	12863
PUBLIC AID, DEPARTMENT OF	
Hospital Services	
89 Ill. Adm. Code 148 .....	12870

## NOTICE OF PUBLIC HEARINGS

AGRICULTURE, DEPARTMENT OF	
Illinois AgriFIRST Program Act	
8 Ill. Adm. Code 950 .....	12893

## NOTICE OF PUBLIC INFORMATION

LABOR, DEPARTMENT OF	
Contractor Prohibited From An Award Of A Contract Or Subcontract For Public Works Projects .....	12894

## NOTICE OF REQUEST FOR EXPEDITED CORRECTIONS

REVENUE, DEPARTMENT OF	
Retailers' Occupation Tax	
86 Ill. Adm. Code 130 .....	12896

## AGENCY NOTICES OF MODIFICATION, WITHDRAWAL OR REFUSAL TO PROPOSED RULES

HUMAN SERVICES, DEPARTMENT OF	
Minimum Standards For Certification Of Developmental Training Programs	
59 Ill. Adm. Code 119 .....	12912
REVENUE, DEPARTMENT OF	
Senior Citizens And Disabled Persons Property Tax Relief And Pharmaceutical Assistance Act	
86 Ill. Adm. Code 530 .....	12913

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

Agenda for Meeting of October 16, 2001 .....12917

Second Notices Received .....12925

NOTICE OF PUBLICATION ERROR

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF  
Pay Plan  
80 Ill. Adm. Code 310 .....12926

EXECUTIVE ORDERS AND PROCLAMATIONS

PROCLAMATIONS

01-500	A Day Of Prayer And Remembrance In Illinois .....	12929
01-501	Lithuanian-American Community, Inc. Days .....	12929
01-502	Two Rivers Festival Day .....	12930
01-503	Christopher Columbus Day .....	12930
01-504	Bob And Virginia Weaver Day .....	12931
01-505	Chief John Eversole Day .....	12931
01-452	German American Day (Revised) .....	12932
01-506	Joyce Turner Hilkevitch .....	12932
01-507	Steve Neal Day .....	12933
01-508	American Business Women's Association Day .....	12934
01-509	Gold Star Mother Day .....	12934
01-510	Breast Cancer Awareness Month, October And Mammography Day, October 19, 2001 .....	12935
01-511	Day Of Remembrance .....	12935
01-512	Child Health Month .....	12935
01-513	Chronic Obstructive Pulmonary Disease Awareness Month .....	12936
01-514	Collision Repair Industry Pride Month .....	12936
01-515	Disability Employment Awareness Month .....	12937
01-516	Genesis At The Crossroads Month .....	12937
01-517	Hispanic Mental Health Week .....	12938
01-518	Pediatric Cancer Awareness Month .....	12938
01-519	Polish American Heritage Month .....	12938
01-520	Will McGaughy Day .....	12939
01-521	Enrico Fermi Day .....	12939
01-522	Saint Giles Parish Day .....	12940
01-523	Sister City Of Geden, Germany Day .....	12941
01-524	Southwest Women Working Together Day .....	12941
01-525	Village Of Oak Park Day .....	12942

ISSUES INDEX I-1

Editor's Note: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

Issue 16-April	14, 2000:	Data Through March	31, 2000
Issue 29-July	14, 2000:	Data Through June	30, 2000
Issue 42-October	13, 2000:	Data Through September	30, 2000
Issue 3-January	19, 2001:	Data Through December	31, 2000 (Annual)



## INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

## REGISTER PUBLICATION SCHEDULE 2001

Issue #	Copy Due by 4:30 p.m.	Publication Date	Issue #	Copy Due by 4:30 p.m.	Publication Date
Issue 1	December 26, 2000	January 5, 2001	Issue 28	July 2	July 13
Issue 2	January 2, 2001*	January 12	Issue 29	July 9	July 20
Issue 3	January 8	January 19	Issue 30	July 16	July 27
Issue 4	January 16*	January 26	Issue 31	July 23	August 3
Issue 5	January 22	February 2	Issue 32	July 30	August 10
Issue 6	January 29	February 9	Issue 33	August 6	August 17
Issue 7	February 5	February 16	Issue 34	August 13	August 24
Issue 8	February 13*	February 23	Issue 35	August 20	August 31
Issue 9	February 20*	March 2	Issue 36	August 27	September 7
Issue 10	February 26	March 9	Issue 37	September 4*	September 14
Issue 11	March 5	March 16	Issue 38	September 10	September 21
Issue 12	March 12	March 23	Issue 39	September 17	September 28
Issue 13	March 19	March 30	Issue 40	September 24	October 5
Issue 14	March 26	April 6	Issue 41	October 1	October 12
Issue 15	April 2	April 13	Issue 42	October 9*	October 19
Issue 16	April 9	April 20	Issue 43	October 15	October 26
Issue 17	April 16	April 27	Issue 44	October 22	November 2
Issue 18	April 23	May 4	Issue 45	October 29	November 9
Issue 19	April 30	May 11	Issue 46	November 5	November 16
Issue 20	May 7	May 18	Issue 47	November 13*	November 26**
Issue 21	May 14	May 25	Issue 48	November 19	November 30
Issue 22	May 21	June 1	Issue 49	November 26	December 7
Issue 23	May 29*	June 8	Issue 50	December 3	December 14
Issue 24	June 4	June 15	Issue 51	December 10	December 21
Issue 25	June 11	June 22	Issue 52	December 17	December 28
Issue 26	June 18	June 29	Issue 1	December 26 (Wed. Noon)	January 4, 2002
Issue 27	June 25	July 6			

\* Tuesday 12 noon deadline following a state holiday.

\*\* Monday publication date following a state holiday.



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Sport Fishing Regulations for the Waters of Illinois
- 2) Code Citation: 17 Ill. Adm. Code 810
- 3) Section Numbers: 810.45  
Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to add fishing regulations for the newly acquired Fulton County Goose Management Area Waters.

- 6) Will this rulemaking replace any emergency rulemaking currently in effect?  
Yes

<u>Section Numbers</u>	<u>Emergency Action</u>	<u>Illinois Register Citation</u>
810.45	Amendment	17 Ill. Adm. Code 12122, September 21, 2001

- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price  
Department of Natural Resources  
524 S. Second Street  
Springfield IL 62701-1787  
217/782-1809

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

corporations affected: None

- B) Reporting, bookkeeping or other procedures required for compliance:  
None

- C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: July 2001  
The full text of the Proposed Amendments begins on the next page:

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER b: FISH AND WILDLIFE

## PART 810

## SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

## Section

- 810.10 Sale of Fish and Fishing Seasons  
810.20 Snagging  
810.30 Pole and Line Fishing Only (Repealed)  
810.35 Statewide Sportfishing Regulations - Daily Catch and Size Limits  
810.37 Definitions for Site Specific Sportfishing Regulations  
810.40 Daily Catch and Size Limits (Repealed)  
810.45 Site Specific Water Area Regulations  
810.50 Bait Fishing  
810.60 Bullfrogs (Repealed)  
810.70 Free Fishing Days  
810.80 Emergency Protective Regulations  
810.90 Fishing Tournament Permit  
810.100 Bed Protection

**AUTHORITY:** Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5].

**SOURCE:** Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified at 5 Ill. Reg. 10647; amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 7411, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg. 1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendment at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; emergency expired August 10, 1985; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 6, 1986; amended at 11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendment at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150 days; emergency expired September 1, 1988; emergency amendment at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988; amended at 12 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendment at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency expired December 11, 1989; emergency amendment at 13 Ill. Reg. 14085, effective September 4, 1989, for a maximum of 150 days; emergency expired February 1, 1990; emergency amendment at 13 Ill. Reg. 15118,

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

effective September 11, 1989, for a maximum of 150 days; emergency expired February 8, 1990; amended at 14 Ill. Reg. 6164, effective April 17, 1990; emergency amendment at 14 Ill. Reg. 6865, effective April 17, 1990, for a maximum of 150 days; emergency expired September 19, 1990; amended at 14 Ill. Reg. 8588, effective May 21, 1990; amended at 14 Ill. Reg. 16863, effective October 1, 1990; amended at 15 Ill. Reg. 4699, effective March 18, 1991; emergency amendment at 15 Ill. Reg. 5430, effective March 27, 1991, for a maximum of 150 days; emergency expired August 24, 1991; amended at 15 Ill. Reg. 9977, effective June 24, 1991; amended at 15 Ill. Reg. 13347, effective September 3, 1991; amended at 16 Ill. Reg. 5267, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 6016, effective March 25, 1992, for a maximum of 150 days; emergency expired August 22, 1992; amended at 16 Ill. Reg. 12526, effective July 28, 1992; amended at 17 Ill. Reg. 3853, effective March 15, 1993; emergency amendment at 17 Ill. Reg. 5915, effective March 25, 1993, for a maximum of 150 days; emergency expired August 22, 1993; amended at 17 Ill. Reg. 10806, effective July 1, 1993; amended at 18 Ill. Reg. 3277, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 5667, effective March 25, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 12652, effective August 9, 1994; amended at 19 Ill. Reg. 2396, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5262, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10614, effective July 1, 1995; amended at 20 Ill. Reg. 4640, effective March 6, 1996; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 21 Ill. Reg. 9389; amended at 21 Ill. Reg. 4709, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 5590, effective April 15, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 12140, effective August 26, 1997; amended at 22 Ill. Reg. 4930, effective March 2, 1998; amended at 23 Ill. Reg. 3434, effective March 8, 1999; emergency amendment at 23 Ill. Reg. 7317, effective June 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 8406, effective July 7, 1999; amended at 24 Ill. Reg. 3736, effective February 25, 2000; amended at 25 Ill. Reg. 6296, effective March 26, 2001; emergency amendment at 25 Ill. Reg. 7947, effective June 16, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 9912, effective August 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 11386, effective August 14, 2001; emergency amendment at 25 Ill. Reg. 12122, effective September 15, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. effective

## Section 810.45 Site Specific Water Area Regulations

Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37 of this Part. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.

Anderson Lake Fish and Wildlife Area (33)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Fulton County

Andover Lake, City of Andover  
Henry County  
All Fish  
Channel Catfish

Apple River  
Jo Daviess County  
Trout

Apple River Basin - Special Management Zone (within the boundaries of Apple River Canyon State Park, including tributaries)  
Jo Daviess County  
All Fish  
Large or Smallmouth Bass

Arch Property - All Lakes and Ponds, State of Illinois  
Perry County  
All Fish  
Channel Catfish  
White, Black, or Hybrid Crappie  
White, Black, or Hybrid Crappie (15)  
Bluegill or Redear Sunfish  
Bluegill or Redear Sunfish (14)  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Argyle Lake, Argyle Lake State Park  
McDonough County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Hybrid Walleye  
Large or Smallmouth Bass (14)

Trout  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie

Arrowhead Heights Lake, Village of Camp Point  
Adams County  
All Fish  
Channel Catfish

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

- Spring Closed Season (11)

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 9" Minimum Length Limit  
- 10 Fish Daily Creel Limit

- 8" Minimum Length Limit  
- 10 Fish Daily Creel Limit  
- 18" Minimum Length Limit  
- 1 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 3 Fish Daily Creel Limit  
- 1 Fish more than 15" and/or 5 less than 12" Daily (12)  
- Fall Closed Season (10)  
- 10 Fish Daily Creel Limit

- 9" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Arrowhead Lake, City of Johnston City  
Williamson County  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Ashland City Reservoir, City of Ashland  
Cass County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass

Ashley Reservoir, City of Ashley  
Washington County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass

Auburn Park Lagoon, Chicago Park District  
Cook County  
All Fish  
Channel Catfish

Axehead Lake, Cook County Forest Preserve  
Cook County  
All Fish  
Large or Smallmouth Bass  
Trout  
Trout

Baker Lake, City of Peru  
LaSalle County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Baldwin Lake, Baldwin Lake Conservation Area  
Randolph County  
All Fish  
Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
White, Black, or Hybrid

- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)  
(36)  
- 14" Minimum Length Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)

- 2 Pole and Line Fishing Only (1)  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 1 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)  
(1)(5)  
- 18" Minimum Length Limit  
- 17" Minimum Length Limit

- 3 Fish Daily Creel Limit  
- 25 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Crappie (15)  
White, Black, or Hybrid  
Crappie
- 9" Minimum Length Limit
- Banana Lake, Lake County Forest Preserve District  
Lake County
- All Fish  
Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
Trout  
Trout
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 1 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Banner Marsh Lake & Ponds, Banner Marsh State Fish and Wildlife Area (33)  
Peoria/Fulton Counties
- All Fish
- Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 3 Fish Daily Creel Limit  
- 12"-18" Protected Slot Length Limit (no possession)  
- 42" Minimum Length Limit  
- 25 Fish Daily Creel Limit  
- 9" Minimum Length Limit
- Pure Muskellunge  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 3 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 1 Fish Daily Creel Limit
- Batchtown Wildlife Management Area (33)  
Calhoun County
- Baumann Park Lake, City of Cherry Valley  
Winnebago County
- All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 1 Fish Daily Creel Limit
- Beall Woods Lake, Beall Woods Conservation Area  
Wabash County
- All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Trout  
Trout
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- Spring Closed Season (11)  
- Fall Closed Season (10)
- Beaver Dam Lake, Beaver Dam State Park  
Macoupin County
- All Fish
- 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Trout  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- Fall Closed Season (10)  
- 10 Fish Daily Creel Limit  
- 9" Minimum Length Limit
- Beck Lake, Cook County Forest Preserve District  
Cook County
- All Fish
- Channel Catfish  
Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid  
Walleye
- 2 Pole and Line Fishing Only (1)(36)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 18" Minimum Length Limit
- Belk Park Pond, City of Wood River  
Madison County
- Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)
- 6 Fish Daily Creel Limit  
- 18" Minimum Length Limit  
- 1 Fish Daily Creel Limit
- Belleau Lake, Cook County Forest Preserve District  
Cook County
- All Fish  
Large or Smallmouth Bass  
Trout  
Trout
- 2 Pole and Line Fishing Only (36)  
- 14" Minimum Length Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Bevier Lagoon, Waukegan Park District  
Lake County
- All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Bird Park Quarry, City of Kankakee  
Kankakee County
- Trout  
Trout
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Bowen Lake, City of Washington  
Tazewell County
- All Fish  
Channel Catfish  
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 12"-15" Protected Slot Length Limit (no possession)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Borah Lake, City of Olney  
Richland County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit

Boston Pond, Stephen A. Forbes State Park  
Marion County  
Trout - Fall Closed Season (10)  
Trout - Spring Closed Season (11)

Braidwood Lake State Fish and Wildlife Area (41)  
Will County  
(Braidwood Lake is closed to all fishing and boat traffic, except for legal waterfowl hunters, from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)  
All Fish - 2 Pole and Line Fishing Only (1)  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
Striped, White, or Hybrid - 17" Minimum Length Limit  
Striped Bass  
Striped, White, or Hybrid - 3 Fish Daily Creel Limit  
Striped Bass (16)  
White, Black, or Hybrid - 10 Fish Daily Creel Limit  
Crappie (15)

Breeze JC's Park Pond, City of Breeze  
Clinton County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Buckner City Reservoir, City of Buckner  
Franklin County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit

Bullfrog Lake, Cook County Forest Preserve District  
Cook County  
All Fish - 2 Pole and Line Fishing Only (1)(36)  
Large or Smallmouth Bass - 14" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Bluegill or Redear Sunfish - 8" Minimum Length Limit  
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit

Bunker Hill Lake, City of Bunker Hill  
Macoupin County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Burrells Wood Park Pond  
White County  
Channel Catfish - 6 Fish Daily Creel Limit

Busse Lake, Cook County Forest Preserve  
Cook County  
All Fish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish - 8" Minimum Length Limit  
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye, Sauger, or Hybrid - 18" Minimum Length Limit  
Walleye

Cache River State Natural Area (19)  
Pulaski/Johnson Counties  
Calhoun Point Wildlife Management Area (33)  
Calhoun County  
Calumet River  
Cook County  
Yellow Perch - 15 Fish Daily Creel Limit  
Yellow Perch - Closed During July

Campbell Pond Wildlife Management Area (19)  
Jackson County  
Campus Lake - Southern Illinois University, State of Illinois  
Jackson County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Campus Pond - Eastern Illinois University, State of Illinois  
Coles County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Trout - Fall Closed Season (10)  
Trout - Spring Closed Season (11)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Canton Lake, City of Canton  
Fulton County

- All Fish
- Channel or Blue Catfish (14)
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Carbondale City Reservoir, City of Carbondale  
Jackson County

- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Carlinville Lake #2, City of Carlinville  
Macoupin County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Carlton Silt Basin, State of Illinois  
Whiteside County

- All Fish
- Bluegill or Redear Sunfish
- Bluegill or Redear Sunfish (14)
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- Catch and Release Fishing Only (9)

Carlyle Lake, U.S. Army Corps of Engineers (20) (33)  
Clinton/Bond/Fayette Counties

- Large or Smallmouth Bass
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie
- 14" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 10" Minimum Length Limit

Carthage Lake, City of Carthage  
Hancock County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Cedar Lake, U.S. Forest Service and City of Carbondale  
Jackson County (19)

- All Fish
- Large or Smallmouth Bass
- Large or Smallmouth Bass
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- 2 Pole and Line Fishing Only (1)
- (5)
- 14"-18" Protected Slot Length Limit (no possession)
- 2 Fish Under 14" and 2 Fish Over 18" Daily Creel Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Striped Bass (16)

Centralia Foundation Park Catfish Pond, Centralia Park Foundation  
Marion County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Centralia Lake, City of Centralia  
Marion County

- Large or Smallmouth Bass
- 15" Minimum Length Limit

Cermack Quarry, Cook County Forest Preserve District  
Cook County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)(36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Champaign Park District Lakes (Kaufman Lake, Heritage Lake, and Mattis Lake), Champaign Park District  
Champaign County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Charleston Lower Channel Lake, City of Charleston  
Coles County

- All Fish
- 2 Pole and Line Fishing Only (1)

Charleston Side Channel Lake, City of Charleston  
Coles County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Charlie Brown Lake & Pond, City of Flora  
Clay County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Charter Oak North - Peoria Park District Lake, Peoria Park District  
Peoria County



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 1 Fish Daily Creel Limit
- Charter Oak South - Peoria Park District Pond, Peoria Park District  
Peoria County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)  
6 Fish Daily Creel Limit  
15" Minimum Length Limit  
1 Fish Daily Creel Limit
- Chauncey Marsh (19)  
Lawrence County
- Chenoa City Lake, City of Chenoa  
McLean County  
All Fish
- 2 Pole and Line Fishing Only (1)
- Chicago River (including its North Branch, South Branch, and the North Shore Channel)  
Cook County  
Yellow Perch  
Yellow Perch
- 15 Fish Daily Creel Limit  
- Closed During July
- Citizen's Lake, City of Monmouth  
Warren County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Trout
- 2 Pole and Line Fishing Only (1)  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- Fall Closed Season (10)
- Clear Lake, Kickapoo State Park  
Vermillion County  
All Fish  
Channel Catfish  
Trout  
Trout
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Clinton Lake, Clinton Lake State Recreation Area (19)  
DeWitt County  
All Fish
- 2 Pole and Line Fishing Only (1)(18)  
- 16 " Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 10 Creel/3 Fish 17" or Longer Daily
- Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Striped, White, or Hybrid

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Striped Bass (16)  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie
- (17)  
- 15 Fish Daily Creel Limit  
- 9" Minimum Length Limit
- Coffeeen Lake, Coffeeen Lake State Fish and Wildlife Area  
Montgomery County  
Channel Catfish
- All jugs must be attended at all times while fishing (2)  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 10 Fish Daily Creel Limit
- Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie
- 9" Minimum Length Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)
- Coles County Airport Lake, Coles County Airport  
Coles County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit
- Coleta Trout Pond, State of Illinois  
Whiteside County  
Trout  
Trout
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Columbus Park Lagoon, Chicago Park District  
Cook County  
All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Cook Co. F.P.D. Lakes, Cook County Forest Preserve District  
Cook County  
All Fish  
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)  
- 14" Minimum Length Limit
- Coulterville City Lake, City of Coulterville  
Randolph County  
All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Crab Orchard National Wildlife Refuge - Crab Orchard Lake, U.S. Fish and Wildlife Service (19)  
Williamson County  
All Fish  
Striped, White, or Hybrid  
Striped Bass (16)  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)(4)  
- 10 Creel/3 Fish 17" or Longer Daily (17)  
- 15" Minimum Length Limit
- Crab Orchard National Wildlife Refuge - Devil's Kitchen Lake, U.S. Fish and Wildlife Service (19)  
Williamson County  
All Fish  
- 2 Pole and Line Fishing Only (1)
- Crab Orchard National Wildlife Refuge - Little Grassy Lake, U.S. Fish and Wildlife Service (19)  
Williamson County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 12-15" Slot Length Limit (3)
- Crab Orchard National Wildlife Refuge. Refuge Ponds (except Visitor Pond), U.S. Fish and Wildlife Service  
Williamson County  
All Fish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 15" Minimum Length Limit
- Crab Orchard National Wildlife Refuge. Visitor Pond, U.S. Fish and Wildlife Service  
Williamson County  
All Fish (30)  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 21" Minimum Length Limit
- Crawford Co. Cons. Area - Picnic Pond, Crawford County Conservation Area  
Crawford County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- Fall Closed Season (10)
- Crawford Co. Cons. Area Ponds, Crawford County Conservation Area  
Crawford County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit
- Crull Impoundment Wildlife Management Area (33)  
Jersey County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Crystal Lake, Urbana Park District  
Champaign County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Dawson Lake & Park Ponds, Moraine View State Park  
McLean County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid  
Walleye (14)  
White, Black or Hybrid Crappie  
White, Black or Hybrid  
Crappie (15)  
- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 9" Minimum Length Limit  
- 15 Fish Daily Creel Limit
- Decatur Park Dist. Ponds, City of Decatur  
Macon County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Deep Pit Lake, Boone County Conservation District  
Boone County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 1 Fish Daily Creel Limit
- Defiance Lake, Moraine Hills State Park  
McHenry County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Des Plaines River Basin - Special Management Zone (Hoffman Dam to 47th Street Bridge, including tributaries)  
Cook County  
Channel Catfish  
Channel Catfish  
Large or Smallmouth Bass  
Northern pike  
Northern pike  
White, Black or Hybrid  
Crappie (15)  
Walleye, Sauger, or  
- 15" Minimum Length Limit  
- 6 Fish Daily Creel Limit  
- Catch and Release Only - No Harvest Permitted (9)  
- 30" Minimum Length Limit  
- 1 Fish Daily Creel Limit  
- 10 Fish Daily Creel Limit  
- 18" Minimum Length Limit



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Hybrid Walleye  
Walleye, Sauger, or  
Hybrid Walleye (14)  
- 1 Fish Daily Creel Limit

Des Plaines River Conservation Area (19)  
Will County

Diamond Lake, City of Mundelein  
Lake County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit

Dog Island Wildlife Management Area (19)  
Pope County

Dolan Lake, Hamilton County  
Conservation Area  
Hamilton County  
All Fish  
Bluegill or Redear Sunfish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 8" Minimum Length Limit  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

Donnelley State Wildlife Area (33)  
Bureau County

Douglas Park Lagoon, Chicago Park District  
Cook County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

DuPage County Forest Preserve District Lakes and Ponds, DuPage County Forest Preserve District  
DuPage County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit

DuPage River - West Branch (between the dams located in the McDowell Grove Forest Preserve and the Warrenville Grove Forest Preserve)  
DuPage County  
Large or Smallmouth Bass  
- Catch and Release Fishing Only (9)

East Fork Lake, City of Olney

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Richland County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
White, Black, or Hybrid  
Crappie (15)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 25 Fish Daily Creel Limit

Eldon Hazlet State Park (19) (See Also Carlyle Lake)  
Clinton County

Elkville City Reservoir, City of Elkville  
Jackson County  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit

Elliott Lake, Wheaton Park District  
DuPage County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

Evergreen Lake, City of Bloomington  
McLean County  
All Fish  
Large or Smallmouth Bass  
Pure Muskellunge  
White, Black, or Hybrid  
Crappie (15)  
- 2 Pole and Line Fishing Only (1)  
- 15" Minimum Length Limit  
- 48" Minimum Length Limit (40)  
- 25 Fish Daily Creel Limit

Faries Park Pond, City of Decatur  
Macon County  
Trout  
- Fall Closed Season (10)

Ferne Clyffe Lake, Ferne Clyffe State Park  
Johnson County  
All Fish  
Channel Catfish  
Trout  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)

Flatfoot Lake, Cook County Forest Preserve District  
Cook County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)(36)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

Foli Park Pond, Village of Plano  
Kendall County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

All Fish  
Channel Catfish

Forbes State Lake, Stephen A. Forbes State Park  
Marion County

All Fish  
Bluegill or Redear Sunfish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)

Forbes State Park Ponds, Stephen A. Forbes State Park  
Marion County

All Fish  
Channel Catfish  
Large or Smallmouth Bass

Forest Park Lagoon, City of Shelbyville  
Shelby County

All Fish  
Channel Catfish  
Trout  
Trout

Fort de Chartres Historic Site (19)  
Randolph County

Four Lakes, Winnebago County Forest Preserve  
Winnebago County

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 1 Fish Daily Creel Limit

Fox Chain O'Lakes (including the Fox River south of the Wisconsin-Illinois boundary to the McHenry Dam) (6) (Applies to Grass Lake and Nippersink Lake State Managed Blind Areas Only (19)), State of Illinois  
Lake and McHenry Counties

Large or Smallmouth Bass  
Pure Muskellunge  
Walleye, Sauger, or Hybrid  
Walleye

Walleye, Sauger, or Hybrid

- 14" Minimum Length Limit (6)  
- 48" Minimum Length Limit (40)  
- 14" Minimum Length Limit  
with an 18-24" Protected Slot  
Length Limit (no possession) (6)  
- 2 Fish >or=14" and <18" &/or 1

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Walleye (14)  
Fish >24" Daily Creel Limit (35)

Fox Ridge State Park (see also Wilderness Pond and Ridge Lake) (19)  
Coles County

Fox River Basin - Special Management  
Zone (North Aurora Dam to Montgomery Dam, including tributaries)  
Kane County

Large or Smallmouth Bass  
- 14" Minimum Length Limit

Fox River Basin - Special Management  
Zone (South Elgin Dam to North Aurora Dam, including tributaries)  
Kane County

Large or Smallmouth Bass  
- Catch and Release Only -  
No Harvest Permitted (9)

Frank Holten Lakes, Frank Holten State Park  
St. Clair County

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Trout  
Trout

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)

Franklin Creek (within the boundaries of Franklin Creek State Natural Area)  
Iee County

All Fish  
- 2 Pole and Line Fishing Only (1)(9)

Fuller Lake (19)  
Calhoun County

Fulton County Camping and Recreation Area Waters, Fulton County Board  
Fulton County

All Fish  
Channel Catfish  
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 12"-15" Protected Slot Length Limit (no possession)  
- 3 Fish Daily Creel Limit  
- 25 Fish Daily Creel Limit

Large or Smallmouth Bass (14)  
Blue gill or Redear Sunfish (14)

Fulton County Goose Management Area Waters, State of Illinois  
Fulton County

Recreational Use Restrictions

- Waterfowl Refuge or Hunting  
Area (all use other than waterfowl hunting) is prohibited from October 1 through the end of the central zone Canada goose season)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- All Fish  
Channel or Blue Catfish  
 - 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
White, Black, or Hybrid Crappie  
 - 10" Minimum Length Limit  
White, Black, or Hybrid Crappie (15)  
 - 25 Fish Daily Creel Limit  
Bluegill or Redear Sunfish (14)  
 - 25 Fish Daily Creel Limit  
Large or Smallmouth Bass  
 - 21" Minimum Length Limit  
Large or Smallmouth Bass (14)  
 - 1 Fish Daily Creel Limit
- Gages Lake, Wildwood Park District  
 Lake County  
 All Fish  
 Large or Smallmouth Bass  
 - 2 Pole and Line Fishing Only (1)  
 Large or Smallmouth Bass  
 - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14)  
 - 3 Fish Daily Creel Limit  
 Walleye, Sauger, or Hybrid  
 - 3 Fish Daily Creel Limit  
 Walleye  
 Walleye, Sauger, or Hybrid  
 - 3 Fish Daily Creel Limit  
 Walleye (14)
- Garfield Park Lagoon, Chicago Park District  
 Cook County  
 All Fish  
 Channel Catfish  
 - 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit
- Gebhard Woods Ponds, Gebhard Woods State Park  
 Grundy County  
 All Fish  
 Channel Catfish  
 - 2 Pole and Line Fishing Only (1)  
 Large or Smallmouth Bass  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit  
 Trout  
 - Spring Closed Season (11)
- Giant City Park Ponds, Giant City State Park  
 Jackson and Union Counties  
 Largemouth and Spotted Bass  
 - 15" Minimum Length Limit
- Gillespie New City Lake, City of Gillespie  
 Macoupin County  
 Channel Catfish  
 - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass  
 - 12-15" Slot Length Limit (3)  
 Large or Smallmouth Bass (14)  
 - 3 Fish Daily Creel Limit
- Gillespie Old City Lake, City of Gillespie  
 Macoupin County  
 All Fish  
 Channel Catfish  
 - 2 Pole and Line Fishing Only (1)  
 Large or Smallmouth Bass  
 - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass (14)  
 - 15" Minimum Length Limit  
 - 3 Fish Daily Creel Limit
- Glades - 12 Mile Island Wildlife Management Area (33)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Jersey County  
 Gladstone Lake, Henderson County Conservation Area  
 Henderson County  
 All Fish  
 - 2 Pole and Line Fishing Only (1)  
 Bluegill or Redear Sunfish (14)  
 - 10 Fish Daily Creel Limit  
 Channel or Blue Catfish (14)  
 - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass  
 - 12-15" Slot Length Limit (3)  
 Large or Smallmouth Bass (14)  
 - 3 Fish Daily Creel Limit
- Glen Oak Park Lagoon, Peoria Park District  
 Peoria County  
 All Fish  
 Channel Catfish  
 - 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit
- Glen Shoals Lake, City of Hillsboro  
 Montgomery County  
 Large or Smallmouth Bass  
 - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14)  
 - 3 Fish Daily Creel Limit  
 Striped, White, or Hybrid  
 - 17" Minimum Length Limit  
 Striped Bass  
 - 3 Fish Daily Creel Limit  
 Striped, White, or Hybrid  
 - 3 Fish Daily Creel Limit  
 Striped Bass (16)
- Godar-Diamond/Hurricane Island Wildlife Management Area (33)  
 Calhoun County
- Gompers Park Lagoon, Chicago Park District  
 Cook County  
 All Fish  
 Channel Catfish  
 - 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit
- Gordon F. More Park Lake, City of Alton  
 Madison County  
 All Fish  
 Bluegill or Redear Sunfish (14)  
 - 2 Pole and Line Fishing Only (1)  
 Channel Catfish  
 - 25 Fish Daily Creel Limit  
 Large or Smallmouth Bass  
 - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass (14)  
 - 15" Minimum Length Limit  
 - 3 Fish Daily Creel Limit
- Governor Bond Lake, City of Greenville  
 Bond County  
 Channel Catfish  
 - All jugs must be attended at all times while fishing (2)  
 Large or Smallmouth Bass  
 - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14)  
 - 3 Fish Daily Creel Limit  
 Striped, White, or Hybrid  
 - 17" Minimum Length Limit  
 Striped Bass



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Striped, White, or Hybrid  
Striped Bass (16)  
White, Black, or Hybrid  
Crappie (15)  
- 3 Fish Daily Creel Limit  
- 25 Fish Daily Creel Limit
- Grayslake Park District (Grayslake and Park Ponds)  
Lake County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Greenfield City Lake, City of Greenfield  
Greene County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 12"-15" Protected Slot Length Limit (no possession)  
- 5 Fish Under 12" and 1 Fish Over 15" Daily Creel Limit
- Greenville Old City Lake, City of Greenville  
Bond County  
All Fish  
Channel Catfish  
Trout  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- Fall Closed Season (10)  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Harrisburg New City Reservoir, City of Harrisburg  
Saline County  
All Fish  
Channel Catfish  
Striped, White, or Hybrid Striped Bass  
Striped, White or Hybrid Striped Bass (16)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Harrisburg Holding Pits North and South, City of Harrisburg  
Saline County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Heidecke Lake, Heidecke Lake State Fish and Wildlife Area  
Grundy County (41)  
(Heidecke Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- regular duck season through the close of the Canada goose and regular duck season)  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Striped, White, or Hybrid  
Striped Bass (16)  
Walleye, Sauger, or Hybrid  
Walleye  
Walleye, Sauger, or Hybrid  
Walleye (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 10 Creel/3 Fish 17" or Longer Daily (17)  
- 22" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Helmbold Slough (19)  
Calhoun County  
Hennepin Canal-Mainline & Feeder, Hennepin Canal Parkway State Park  
Multiple Counties  
All Fish  
Large or Smallmouth Bass  
Trout  
Trout  
Only (1)(13)  
- 14" Minimum Length Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Herrin Lake #1, City of Herrin  
Williamson County  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Herrin Lake #2, City of Herrin  
Williamson County  
All Fish  
Channel Catfish  
Hidden Springs State Forest Ponds, Hidden Springs State Forest  
Shelby County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 18" Minimum Length Limit  
- 1 Fish Daily Creel Limit
- Highland Old City Lake, City of Highland  
Madison County  
All Fish  
Channel Catfish  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- Fall Closed Season (10)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Hillsboro Old City Lake, City of Hillsboro  
Montgomery County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 12-15" Slot Length Limit (3)

Homer Guthrie Pond - Eldon Hazlet State Park, State of Illinois  
Clinton County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Homer Lake, Champaign County Forest Preserve District  
Champaign County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish - 8" Minimum Length Limit
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Hornel Pond, Donnelly State Fish and Wildlife Area  
Bureau County

- All Fish - 2 Pole and Line Fishing Only (1)(5)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Horseshoe Lake-Alexander Co., Horseshoe Lake Conservation Area  
Alexander County

- (Only trolling motors in refuge from October 5-March 1)
- All Fish - 2 Pole and Line Fishing Only (1)(5)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Horseshoe Lake-Madison County, Horseshoe Lake State Park (33)  
Madison County

- All Fish - 2 Pole and Line Fishing Only (1)(28)(34)
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- White, Black or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Horton Lake, Nauvoo State Park  
Hancock County

- All Fish - 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Channel Catfish - 6 Fish Daily Creel Limit

Hulit Park Big Lake, Canton Park District  
Fulton County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Humbolt Park Lagoon, Chicago Park District  
Cook County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Illinois & Michigan Canal, State of Illinois  
Grundy/LaSalle/Will Counties

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Trout - Spring Closed Season (11)

Illinois Beach State Park Ponds, Illinois Beach State Park  
Lake County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Illinois Department of Transportation Lake, State of Illinois  
Sangamon County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Illinois River - Pool 26 (19)  
Calhoun County

Illinois River, State of Illinois  
Multiple Counties

- Large or Smallmouth Bass - 12" Minimum Length Limit

Independence Grove Lake, Lake County Forest Preserve District  
Lake County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Pure Muskellunge - 48" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Indian Boundary South Pond, Frankfort Square Park District  
Will County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Jackson Park (Columbia Basin) Lagoon, Chicago Park District  
Cook County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Jim Edgar/Panther Creek Fish and Wildlife Area, All Lakes and  
Ponds, Jim Edgar/Panther Creek Fish and Wildlife Area  
Cass County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish - 8" Minimum Length Limit
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Jim Edgar/Panther Creek Fish and Wildlife Area, Gurney Road Pond,  
Jim Edgar/Panther Creek Fish and Wildlife Area  
Cass County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish - 8" Minimum Length Limit
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Trout - Spring Closed Season (11)

Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park  
Henry County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Jones Park Lake, City of East St. Louis  
St. Clair County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Jones State Lake, Saline County Conservation Area  
Saline County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Large or Smallmouth Bass - 14"-18" Protected Slot Length Limit (no possession) (38)
- Large or Smallmouth Bass - 5 Fish under 14" and 1 Fish over 18" Daily Creel Limit

Jones Lake Trout Pond, Saline County Conservation Area  
Saline County

- Trout - Fall Closed Season (10)

Jubilee College State Park Ponds,  
Jubilee College State Park  
Peoria County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Kankakee River Basin - Special Management Zone (Wilmington Dam to the Mouth of  
the Kankakee River, including tributaries)  
Will/Grundy Counties

- Large or Smallmouth Bass - 12" - 16" Protected Slot Length Limit (no possession) (37)
- Large or Smallmouth Bass (14) - 1 Fish over 16" and 2 Fish under 12" Daily Creel Limit

Kankakee River Basin - Special Management Zone (Kankakee Dam to the Wilmington  
Dam, including tributaries)  
Kankakee/Will Counties

- Large or Smallmouth Bass - 14" Minimum Length Limit
- Large or Smallmouth Bass - Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)

Kankakee River State Park (19)  
Kankakee/Will Counties

Kaskaskia River Fish and Wildlife Area (19)  
St. Clair/Randolph/Monroe Counties

Kaskaskia River Fish and Wildlife Area - Doza Creek Wildlife Management Area  
(33)  
St. Clair County

Kendall Co. Lake #1, Kendall County Forest Preserve District  
Kendall County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Kent Creek  
Winnebago County  
Trout - Spring Closed Season (11)
- Kickapoo State Park Lakes & Ponds, Kickapoo State Park  
Vermilion County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Large of Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Kincaid City Reservoir, City of Kincaid  
Christian County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit
- Kincaid Lake, Kincaid Lake State Fish and Wildlife Area (19)  
Jackson County  
Large or Smallmouth Bass - 16" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
Pure Muskellunge - 48" Minimum Length Limit (40)  
White, Black, or Hybrid - 9" Minimum Length Limit  
Crappie - 25 Fish Daily Creel Limit  
White, Black, or Hybrid  
Crappie (15)
- Kinmundy Reservoir, City of Kinmundy  
Marion County  
All Fish - 2 Pole and Line Fishing Only (1)(5)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Lake Atwood, McHenry County Conservation District  
McHenry County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Trout - 6 Fish Daily Creel Limit  
- Spring Closed Season (11)
- Lake Bloomington, City of Bloomington  
McLean County  
All Fish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish - 8" Minimum Length Limit  
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Striped, White, or Hybrid - 17" Minimum Length Limit  
Striped Bass  
Striped, White, or Hybrid - 3 Fish Daily Creel Limit  
Striped Bass (16)  
White, Black, or Hybrid - 25 Fish Daily Creel Limit  
Crappie (15)
- Lake Carlton, Morrison-Rockwood State Park  
Whiteside County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Pure Muskellunge - 36" Minimum Length Limit  
White, Black, or Hybrid - 25 Fish Daily Creel Limit  
Crappie (15)
- Lake Chautauqua North Pool, U.S. Fish and Wildlife Service  
Mason County  
Largemouth Bass - 15" Minimum Length Limit (12"  
Minimum Length Limit when  
the Illinois River overflows the  
levee system of the North Pool)
- Lake Co. Forest Preserve District Lakes, Lake County Forest Preserve District  
Lake County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Walleye, Sauger, or  
Hybrid Walleye - 16" Minimum Length Limit
- Lake Decatur, City of Decatur  
Macon County  
All Fish - 2 Pole and Line Fishing Only (1)  
White, Black, or Hybrid - 10" Minimum Length Limit  
Crappie - 10 Fish Daily Creel Limit  
Crappie (15)
- Lake Depue Fish and Wildlife Area (33)  
Bureau County
- Lake Eureka, City of Eureka  
Woodford County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Lake George, Loud Thunder Forest Preserve  
 Rock Island County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Pure Muskellunge - 36" Minimum Length Limit  
 Striped, White, or Hybrid - 17" Minimum Length Limit  
 Striped Bass  
 Striped, White, or Hybrid - 1 Fish Daily Creel Limit  
 Striped Bass (16)  
 White, Black, or Hybrid - 25 Fish Daily Creel Limit  
 Crappie (15)

## Lake Jacksonville, City of Jacksonville

- Morgan County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Bluegill or Redear Sunfish - 8" Minimum Length Limit  
 Bluegill or Redear Sunfish - 10 Fish Daily Creel Limit  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Striped, White, or Hybrid - 17" Minimum Length Limit  
 Striped Bass  
 Striped, White, or Hybrid - 3 Fish Daily Creel Limit  
 Striped Bass (16)  
 White, Black, or Hybrid - 25 Fish Daily Creel Limit  
 Crappie  
 White, Black, or Hybrid - 9" Minimum Length Limit  
 Crappie

## Lake Kakusha, City of Mendota

- LaSalle County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Bluegill or Redear Sunfish - 8" Minimum Length Limit  
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
 White, Black, or Hybrid - 25 Fish Daily Creel Limit  
 Crappie (15)

## Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park

- Stephenson County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Large or Smallmouth Bass - 14" Minimum Length Limit  
 White, Black, or Hybrid - 10 Fish Daily Creel Limit  
 Crappie (15)
- Lake Mendota, City of Mendota  
 LaSalle County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass (14) - 1 Fish >or=15" &/or 2 < 12" Daily (31)

## Lake Michigan (Illinois Portion), State of Illinois

- Lake/Cook Counties  
 Trout and Salmon - 10" Minimum Length Limit  
 Trout and Salmon - no more than 5 fish of any one species daily, except for Lake Trout  
 Lake Trout - 2 Fish Daily Creel Limit  
 Yellow Perch - 15 Fish Daily Creel Limit  
 Yellow Perch - Taking of yellow perch from charter boats is prohibited  
 Yellow Perch - Closed During July  
 Large or Smallmouth Bass (14) - Catch and Release Fishing Only (no possession) (9)

## Lake Milliken, Des Plaines Conservation Area

- Will County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Trout - Spring Closed Season (11)

## Lake Mingo &amp; Kennekuk Cove Park Ponds, Vermilion County Conservation Area

- Vermilion County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit

## Lake Murphysboro, Lake Murphysboro State Park

- Jackson County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

## Lake Nellie, City of St. Elmo

- Fayette County  
 All Fish - 2 Pole and Line Fishing Only (1)(5)  
 Channel Catfish - 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit
- Lake of the Woods & Elk's Pond, Champaign County Forest Preserve District  
Champaign County  
All Fish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish - 8" Minimum Length Limit  
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
Trout - Spring Closed Season (11)
- Lake Owen, Hazel Crest Park District  
Cook County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit
- Lake Paradise, City of Mattoon  
Coles County  
All Fish - 2 Pole and Line Fishing Only (1)  
Large or Smallmouth Bass - 14" Minimum Length Limit
- Lake Paradise Shadow Ponds, City of Mattoon  
Coles County  
All Fish - 2 Pole and Line Fishing Only (1)  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Channel Catfish - 6 Fish Daily Creel Limit
- Lake Sara, City of Effingham  
Effingham County  
Large or Smallmouth Bass - 14" Minimum Length Limit  
White, Black, or Hybrid - 25 Fish Daily Creel Limit  
Crappie (15)
- Lake Shelbyville (21), U.S. Army Corps of Engineers  
Moultrie/Shelby Counties  
(During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad Bridge from one-half hour before sunrise to 1 p.m.)  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Pure Muskellunge - 48" Minimum Length Limit (40)  
White, Black, or Hybrid - 10 Fish Daily Creel Limit  
Crappie (15)  
White, Black, or Hybrid - 10" Minimum Length Limit  
Crappie

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Lake Shelbyville - Project Ponds & Woods Lake, Lake Shelbyville State Fish and Wildlife Area (33)  
Moultrie/Shelby Counties  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
White, Black, or Hybrid - 10" Minimum Length Limit  
Crappie - 10 Fish Daily Creel Limit  
White, Black, or Hybrid  
Crappie (15)
- Lake Sinissippi (19)  
Whiteside County
- Lake Springfield, City of Springfield  
Sangamon County  
All Fish - 2 Pole and Line Fishing Only (1)  
Large or Smallmouth Bass - 15" minimum Length Limit  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie
- Lake Storey, City of Galesburg  
Knox County  
All Fish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit  
Channel or Blue Catfish (14) - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)  
Pure Muskellunge - 42" Minimum Length Limit  
Walleye, Sauger, or Hybrid - 3 Fish Daily Creel Limit  
Walleye (14)
- Lake Strini, Village of Romeoville  
Will County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit
- Lake Sule, Flagg-Rochelle Park District  
Ogle County  
All Fish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish (14) - 5 Fish Daily Creel Limit  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
Pure Muskellunge - 36" Minimum Length Limit  
White, Black or Hybrid - 10 Fish Daily Creel Limit  
Crappie (15)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Lake Taylorville, City of Taylorville  
Christian County

- Large or Smallmouth Bass
- White, Black, or Hybrid Crappie
- White, Black, or Hybrid Crappie (15)
- 15" Minimum Length Limit
- 9" Minimum Length Limit
- 25 Fish Daily Creel Limit

Lake Vandalia, City of Vandalia  
Fayette County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Striped, White, or Hybrid Striped Bass
- Striped, White, or Hybrid Striped Bass (16)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Lake Vermilion, Vermilion County Conservation District  
Vermilion County

- All Fish
- Large or Smallmouth Bass
- Pure Muskellunge
- White, Black, or Hybrid Crappie
- White, Black, or Hybrid Crappie (15)
- 2 Pole and Line Fishing Only (26)
- 15" Minimum Length Limit (23)
- 48" Minimum Length Limit (40)
- 9" Minimum Length Limit
- 25 Fish Daily Creel Limit

Lake Victoria, City of South Beloit  
Winnebago County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Lake Williamsville, City of Williamsville  
Sangamon County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

LaSalle Lake, LaSalle Power Station  
LaSalle County

- All Fish
- Large or Smallmouth Bass (14)
- Large or Smallmouth Bass
- Striped, White, or Hybrid Striped Bass (16)
- 2 Pole and Line Fishing Only (1)
- 1 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 10 Creel/3 Fish 17" or Longer Daily (17)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Levings Lake, Rockford Park District  
Winnebago County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site  
Coles County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Lincoln Park North Lagoon, Chicago Park District  
Cook County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Lincoln Park South Lagoon, Chicago Park District  
Cook County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Lincoln Trail Lake, Lincoln Trail State Park  
Clark County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)

Little Black Slough, Little Black Slough State Natural Area  
Johnson County

- All Fish
- All Fish
- 2 Pole and Line Fishing Only (1)
- No Seines

Little Sister Lake, County of Fulton  
Fulton County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit

Little Vermilion River Basin - Special Management Zone (river mainstem and tributaries)  
LaSalle County

- Large or Smallmouth Bass
- Catch and Release Only Season
- No Harvest May 1 through

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

June 15 (9)

Lou Yeager Lake, City of Litchfield  
Montgomery County

- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)

Loami Reservoir, City of Loami  
Sangamon County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Lower Cache River, Lower Cache River State Natural Area  
Pulaski/Johnson Counties

- All Fish
- All Fish
- 2 Pole and Line Fishing Only (1)
- No Seines

Lyerla Lake, Union County Conservation Area  
Union County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Mackinaw Ponds 1, 2, and 3, Mackinaw State Fish and Wildlife Area  
Tazewell County

- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Macon County Conservation District  
Ponds, Macon County Conservation District

- Macon County
- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Maple Lake, Cook County Forest Preserve District  
Cook County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)(36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Marissa City Lake, City of Marissa  
St. Clair County

- Channel Catfish
- 6 Fish Daily Creel Limit

Marquette Park Lagoon, Chicago Park District  
Cook County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Marshall County Conservation Area (33)  
Marshall County

- All Fish
- 2 Pole and Line Fishing Only (1)

Marshall County Conservation Area - Sparland Unit (19)  
Marshall County

Mascoutah Reservoir, City of Mascoutah  
St. Clair County

- All Fish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Massac County Fairgrounds Pond, State of Illinois

- Massac County
- Trout
- Trout
- Fall Closed Season (10)
- Spring Closed Season (11)

Matthiessen Lake, Matthiessen State Park  
LaSalle County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Mattoon Lake, City of Mattoon  
Coles County

- All Fish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit

Mautino Fish and Wildlife Area, Mautino Fish and Wildlife Area  
Bureau County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1) (34)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Mauvaise Terre/Morgan Lake, City of Jacksonville  
Morgan County

- Large or Smallmouth Bass
- 15" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Mazonia Lakes &amp; Ponds, Mazonia State Fish and Wildlife Area (33)

Grundy/Kankakee Counties  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
White, Black or Hybrid  
Crappie (15)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 10 Fish Daily Creel Limit

McCullom Lake, City of McHenry  
McHenry County

All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 1 Fish Daily Creel Limit

McKinley Park Lagoon, Chicago Park District  
Cook County

All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

McLeansboro City Lakes, City of McLeansboro  
Hamilton County

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

McMaster Lake and Small Ponds, Snakeden Hollow State Fish and Wildlife Area  
Knox County

(All use other than waterfowl hunting prohibited from October 1 through the end of the Canada goose season)

All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Pure Muskellunge  
Walleye, Sauger, or Hybrid  
Walleye (14)  
White, Black, or Hybrid  
Crappie (15)  
- 2 Pole and Line Fishing Only (1)  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 42" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 5 Fish Daily Creel Limit

Meredosia Lake - Cass County Portion Only (meandered waters only) (33)  
Cass CountyMeredosia Lake - Cass County Portion  
Cass County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

(Meandered waters only) (All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes; hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes)

Mermet State Lake, Mermet Lake Conservation Area (33)  
Massac County

All Fish  
Bluegill or Redear Sunfish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
White, Black, or Hybrid  
Crappie (15)  
- 2 Pole and Line Fishing Only (1)  
(5)  
- 8" Minimum Length Limit  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 25 Fish Daily Creel Limit

Middle Fork Forest Preserve Ponds, Champaign County Forest Preserve  
Champaign County

All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

Middle Fork of the Vermilion River, Kickapoo State Park and Middle Fork Fish and Wildlife Area  
Vermilion County

All Fish  
- 2 Pole and Line Fishing Only (1)

## Middle Fork of the Vermilion River Basin - Special Management Zone (river mainstem and tributaries)

Vermilion/Champaign/Ford Counties  
Large or Smallmouth Bass  
Large or Smallmouth Bass  
- 14" Minimum Length Limit  
- Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)

Mill Creek Lake, Clark County Park District  
Clark County

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Pure Muskellunge  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 12-15" Slot Length Limit (3)  
- 42" Minimum Length Limit

Mill Pond, Pearl City Park District  
Stephenson County

All Fish  
- 2 Pole and Line Fishing Only (1)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass - 14" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Mill Race Ponds, Belvidere Park District  
 Boone County  
 Trout - Spring Closed Season (11)

Miller Park Lake, City of Bloomington  
 McLean County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Trout - Spring Closed Season (11)

Mineral Springs Park Lagoon, City of Pekin  
 Tazewell County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Trout - Fall Closed Season (10)

Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26 (19)  
 Multiple Counties

Mississippi River (between IL & IA), State of Illinois  
 Multiple Counties  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Northern Pike - 5 Fish Daily Creel Limit  
 Walleye and Sauger (14) - 10 Fish Daily Creel Limit (24)  
 Walleye - 15" Minimum Length Limit

Mississippi River (between IL & MO), State of Illinois  
 Multiple Counties  
 (Boating prohibited on refuge area (Ellis Bay) immediately upstream of Melvin Price Lock and Dam 26 overflow dike from October 15-April 15)  
 (Any tagged sport fishing device may not be left unattended for more than 24 hours or must be completely removed)  
 All Nongame Species Combined  
 (Excludes endangered and threatened species and the following game species: Crappie, Channel/Blue/Flathead Catfish, Rock Bass, Warmouth, White/Yellow/Striped/Hybrid Striped Bass, Trout, Large-mouth/Smallmouth/Spotted Bass, Muskellunge, Northern

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Pike, Chain/Grass Pickerel, Walleye, Sauger, Paddlefish) - 100 Total Fish Daily Creel Limit  
 Channel or Blue Catfish (14) - 20 Fish Daily Creel Limit  
 Flathead Catfish - 10 Fish Daily Creel Limit  
 Largemouth, Smallmouth, or Spotted Bass - 12" Minimum Length Limit

Northern Pike - 1 Fish Daily Creel Limit  
 Striped, White, or Hybrid - 30 Fish Daily Creel Limit - statewide regulation limiting daily creel to 3 fish 17" or longer is not in effect on the Mississippi River between Illinois and Missouri  
 Striped Bass (16)

Walleye and Sauger (14) - 8 Fish Daily Creel Limit  
 White, Black, or Hybrid - 30 Fish Daily Creel Limit  
 Crappie (15)

Monee Reservoir, Will County Forest Preserve District  
 Will County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit

Montrose Lake, City of Montrose  
 Cumberland County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit

Mt. Olive City Lakes, City of Mt. Olive  
 Macoupin County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

Mt. Olive (Old) Lake, City of Mt. Olive  
 Macoupin County  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Mt. Pulaski Park District Lake, Mt. Pulaski Park District  
 Logan County  
 All Fish - 2 Pole and Line Fishing Only (1)

Mt. Sterling Lake, City of Mt. Sterling  
 Brown County  
 All Fish - 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Channel Catfish  
Large or Smallmouth Bass

- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)

Mt. Vernon City Park Lake, City of Mt. Vernon  
Jefferson County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Mt. Vernon Game Farm Pond, Mt. Vernon Game Farm

- Jefferson County
- All Fish
- Trout
- Trout
- 2 Pole and Line Fishing Only (1)
- Fall Closed Season (10)
- Spring Closed Season (11)

Mundelein Park District Ponds, City of Mundelein  
Lake County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Nashville City Lake, City of Nashville  
Washington County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit

Newton Lake, Newton Lake State Fish and Wildlife Area (41)

Jasper County  
(The cold water arm of Newton Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)

- All Fish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie
- 2 Pole and Line Fishing Only (1)
- (5)
- 18" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- 10" Minimum Length Limit

Norris City Reservoir, City of Norris City  
White County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass

- 15" Minimum Length Limit

North Marcum Campground Pond, U.S. Army Corps of Engineers  
Franklin County

## Recreational Use Restrictions

- Fishing permitted only by persons under 16 years of age
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Oakford Conservation Area (Menard County) (19)  
Menard County

Oakland City Lake, City Lake, City of Oakland  
Coles County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Oblong Lake, City of Oblong  
Crawford County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Ohio River (between Illinois & Kentucky), State of Illinois  
Multiple Counties (19)

- Large or Smallmouth Bass
- Northern Pike
- Muskie or Tiger Muskie
- Muskie or Tiger Muskie
- Walleye, Sauger, or Hybrid
- Walleye (14)
- White, Black, or Hybrid
- Crappie (15)
- Striped, White, Yellow or Hybrid
- Striped Bass
- 12" Minimum Length Limit
- No Length or Creel Limit
- 2 Fish Daily Creel Limit
- 30" Minimum Length Limit
- 10 Fish Daily Creel Limit

- White, Black, or Hybrid
- Crappie (15)
- Striped, White, Yellow or Hybrid
- Striped Bass
- 30 Fish Daily Creel Limit
- 30 Creel/4 Fish 15" or Longer Daily (32)

Ohio River-Smithland Pool Tributary Streams (in Pope/Hardin/Gallatin Counties, excluding Wabash River and Saline River Above Route 1 Bridge) (19)  
Multiple Counties

- Large and Smallmouth Bass
- 12" Minimum Length Limit

Olson Lake, Rock Cut State Park

Winnebago County

All Fish

- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Channel Catfish  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)

- 6 Fish Daily Creel Limit  
 - 14" Minimum Length Limit  
 - 1 Fish Daily Creel Limit

Omaha City Reservoir, City of Omaha  
 Gallatin County  
 All Fish  
 Channel Catfish

- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit

Otter Lake, Otter Lake Water Commission  
 Macoupin County  
 All Fish  
 Channel Catfish  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)  
 Striped, White, or Hybrid  
 Striped Bass (16)  
 Pure Muskellunge

- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit  
 - 3 Fish Daily Creel Limit  
 - 10 Creel/3 Fish 17" or Longer Daily (17)  
 - 48" Minimum Length Limit (40)

Palmyra-Modesto Water Commission Lake, Palmyra/Modesto Water Commission  
 Macoupin County  
 All Fish  
 Channel Catfish  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit  
 - 3 Fish Daily Creel Limit

Pana Lake, City of Pana  
 Shelby and Christian Counties  
 All Fish  
 Bluegill or Redear Sunfish  
 Bluegill or Redear Sunfish (14)  
 Channel Catfish  
 Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
 - 8" Minimum Length Limit  
 - 10 Fish Daily Creel Limit  
 - 6 Fish Daily Creel Limit  
 - 14" Minimum Length Limit

Paris East & West Lakes, City of Paris  
 Edgar County  
 All Fish  
 Channel Catfish  
 Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 14" Minimum Length Limit

Peabody River King, Pit #3 Lakes and Ponds, River King State Conservation Area  
 St. Clair County  
 All Fish

- 2 Pole and Line Fishing Only (1)  
 (34)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit  
 - 3 Fish Daily Creel Limit  
 - 25 Fish Daily Creel Limit

Channel Catfish  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)  
 White, Black, or Hybrid

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Crappie (15)  
 White, Black, or Hybrid Crappie  
 - 9" Minimum Length Limit

Pekin Lake (19)  
 Tazewell County

Perry Farm Pond, Bourbonnais Park District  
 Kankakee County  
 All Fish  
 Channel Catfish

- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit

Piasa (19)  
 Madison/Jersey Counties

Pierce Lake, Rock Cut State Park  
 Winnebago County  
 All Fish

- 2 Pole and Line Fishing Only (1)(7)  
 - 8" Minimum Length Limit  
 - 10 Fish Daily Creel Limit  
 - 6 Fish Daily Creel Limit  
 - 1 Fish Daily Creel Limit  
 - 14" Minimum Length Limit  
 - 48" Minimum Length Limit (40)  
 - 25 Fish Daily Creel Limit

Bluegill or Redear Sunfish  
 Bluegill or Redear Sunfish (14)  
 Channel Catfish  
 Large or Smallmouth Bass (14)  
 Large or Smallmouth Bass  
 Pure Muskellunge  
 White, Black, or Hybrid  
 Crappie (15)

Pike County Conservation Area (19)  
 Pike County

Pickneyville Lake, City of Pickneyville  
 Perry County  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)

- 18" Minimum Length Limit  
 - 1 Fish Daily Creel Limit

Pine Creek  
 Ogle County  
 Trout

- Spring Closed Season (11)

Pine Creek (within the boundaries of White Pines Forest State Park)  
 Ogle County  
 All Fish  
 Trout

- 2 Pole and Line Fishing Only (1)  
 - Spring Closed Season (11)

Pine Lake, Village of University Park  
 Will County  
 All Fish  
 Channel Catfish

- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Piscasaw Creek  
McHenry County

- Trout
- Trout
- 9" Minimum Length Limit
- Spring Closed Season (11)

Pittsfield City Lake, City of Pittsfield  
Pike County

- All Fish
- Large or Smallmouth Bass
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)
- White, Black, or Hybrid
- Crappie
- 2 Pole and Line Fishing Only (1)(7)
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 9" Minimum Length Limit

Pocahontas Park Pond, City of Pocahontas  
Bond County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Powerton Lake, Powerton Lake Fish and Wildlife Area (39)  
Tazewell County

(Powerton Lake shall be closed to boat traffic except for legal waterfowl hunters from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during the regular Canada goose and duck season)

- All Fish
- Channel or Blue Catfish (14)
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Striped, White, or Hybrid
- Striped Bass (16)
- Walleye, Sauger, or Hybrid
- Walleye (14)
- Walleye, Sauger, or Hybrid
- Walleye
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 10 Creel/3 Fish 17" or Longer Daily (17)
- 3 Fish Daily Creel Limit
- 18" Minimum Length Limit

Prospect Pond, City of Moline  
Rock Island County

- Trout
- Fall Closed Season (10)

Pyramid State Park Lakes & Ponds, Pyramid State Park  
Perry County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Ramsey Lake, Ramsey Lake State Park  
Fayette County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 9" Minimum Length Limit

Ramsey Lake State Park Ponds, Ramsey Lake State Park  
Fayette County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Randolph County Lake, Randolph County Conservation Area  
Randolph County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Fall Closed Season (10)

Red Hills Lake, Red Hills State Park  
Lawrence County

- All Fish
- Bluegill or Redear Sunfish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Red's Landing Wildlife Management Area (19)  
Calhoun County

- (Walk-in area closed to trespassing 7 days prior to duck season)

Redwing Slough/Deer Lake (33)  
Lake County

Rend Lake, U.S. Army Corps of Engineers (22) (33)  
Franklin and Jefferson Counties

- Channel Catfish
- Large or Smallmouth Bass
- Striped, White, Yellow, or Hybrid
- Striped Bass (8)
- All jugs must be attended at all times while fishing (2)
- 14" Minimum Length Limit
- 20 Creel/3 Fish 17" or Longer Daily

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Rend Lake Project Ponds - Jackie Branch Pond, Ina N. Borrow Pit, Green Heron Pond, North Marcum Campground Pond, U.S. Army Corps of Engineers Franklin and Jefferson Counties

(See kids only fishing regulations for North Marcum Campground Pond)

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Rice Lake Fish and Wildlife Area (33)  
Fulton County

Ridge Lake, Fox Ridge State Park  
Coles County

- (Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (19))
- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit
- 14" Minimum Length Limit

Riis Park Lagoon, Chicago Park District  
Cook County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Riprap Landing (19)  
Calhoun County

Riverside Park Lagoon, Moline Park District  
Rock Island County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Rock Creek, State of Illinois  
Kankakee County

Trout

Rock River Basin - Special Management Zone (Fordam Dam to Oregon Dam, including tributaries)

Ogle/Winnebago Counties

- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 12" - 16" Protected Slot Length Limit (no possession) (37)
- 1 Fish over 16" and 2 Fish under 12" Daily Creel Limit

Rock River Basin - Special Management Zone (from Oregon Dam to State Route 2 Highway Bridge at Grand Detour, including all tributaries)  
Ogle County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass

- Catch and Release Fishing Only (9)

Rock Springs Bike Trail Pond, Macon County Conservation District  
Macon County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Rock Springs Pond, Macon County Conservation District  
Macon County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Spring Closed Season (11)

Roodhouse Park Lake, City of Roodhouse  
Green County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Route 154 Day Use Pond, State of Illinois  
Randolph County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Sahara Woods Fish and Wildlife Area, State of Illinois  
Saline County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- White, Black, or Hybrid Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 15 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 15 Fish Daily Creel Limit

St. Elmo South Lake, City of St. Elmo  
Fayette County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Salem Reservoir, City of Salem  
Marion County

All Fish

- 2 Pole and Line Fishing Only (1)(5)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Channel Catfish  
Large or Smallmouth Bass
- 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
- Sam Dale Lake, Sam Dale Conservation Area  
Wayne County
- All Fish
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
- Channel Catfish  
Large or Smallmouth Bass
- Sam Dale Trout Pond, Sam Dale Conservation Area  
Wayne County
- All Fish
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
- Channel Catfish  
Large or Smallmouth Bass
- Sam Parr Lake, Sam Parr State Park  
Jasper County
- All Fish
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
- Channel Catfish  
Large or Smallmouth Bass
- Sand Lake, Illinois Beach State Park  
Lake County
- Channel Catfish  
Large or Smallmouth Bass
- 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
  - 1 Fish Daily Creel Limit
  - Fall Closed Season (10)
  - Spring Closed Season (11)
- Sandy Creek Basin - Special Management Zone (river mainstem and tributaries)  
Marshall County
- Large or Smallmouth Bass
- Catch and Release Only Season - No Harvest May 1 through June 15 (9)

Sanganiois Conservation Area (33)(42)  
Mason/Cass/Schuylar/Menard Counties

Sangchris Lake, Sangchris Lake State Park  
Christian/Sangamon Counties

(Posted waterfowl refuge closed to all boat traffic during waterfowl season. Bank fishing along the dam shall be permitted. Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the Canada goose season that follows the duck

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- season)  
All Fish
- 2 Pole and Line Fishing Only (1)
  - 15" Minimum Length Limit
  - 3 Fish Daily Creel Limit
  - 10 Fish Daily Creel Limit
  - 9" Minimum Length Limit
- Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie
- Sangchris Lake Park Ponds, Sangchris Lake State Park  
Sangamon County
- All Fish
- 2 Pole and Line Fishing Only (1)
- Schiller Pond, Cook County Forest Preserve District  
Cook County
- All Fish
- 2 Pole and Line Fishing Only (1)
  - 36)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
- Channel Catfish  
Large or Smallmouth Bass
- Schuyler-Rush Lake, City of Rushville  
Schuyler County
- All Fish
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 9" Minimum Length Limit
- Channel Catfish  
White, Black, or Hybrid  
Crappie
- Senior Citizen's Pond, Kankakee River State Park  
Kankakee County
- All Fish
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
- Channel Catfish
- Shabbona Lake, Shabbona Lake State Park  
DeKalb County
- All Fish
- 2 Pole and Line Fishing Only (1)(7)
  - 10 Fish Daily Creel Limit
  - 6 Fish Daily Creel Limit
  - 1 Fish Daily Creel Limit
  - 14" Minimum Length Limit
  - 48" Minimum Length Limit
  - 17" Minimum Length Limit
- Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
Pure Muskellunge  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
Walleye, Sauger, or Hybrid  
Walleye  
White, Black, or Hybrid



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Crappie (15)

Shawnee National Forest Lakes & Ponds less than 10 acres, U.S. Forest Service  
Multiple Counties

- All Fish
- Channel Catfish
- Largemouth, Smallmouth or
- Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Bay Creek Lake #5 and #8 (Sugar Creek Lake), U.S.  
Forest Service  
Pope County

- All Fish
- Channel Catfish
- Largemouth, Smallmouth and
- Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Dutchman Lake, U.S. Forest Service  
Johnson County

- All Fish
- Channel Catfish
- Largemouth, Smallmouth or
- Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Lake Glendale, U.S. Forest Service  
Pope County

- All Fish
- Channel Catfish
- Largemouth, Smallmouth or
- Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Little Cache #1, U.S. Forest Service  
Johnson County

- All Fish
- Channel Catfish
- Largemouth, Smallmouth or
- Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Little Cedar Lake, U.S. Forest Service  
Jackson County

- All Fish
- Largemouth, Smallmouth or
- Channel Catfish
- Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 6 Fish Daily Creel Limit

Shawnee National Forest - One Horse Gap Lake, U.S. Forest Service  
Pope County

- All Fish
- 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Channel Catfish

- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Largemouth, Smallmouth or  
Spotted Bass

Shawnee National Forest - Pounds Hollow Lake, U.S. Forest Service  
Gallatin County

- All Fish
- Channel Catfish
- Largemouth, Smallmouth or
- Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Tecumseh Lake, U.S. Forest Service  
Hardin County

- All Fish
- Channel Catfish
- Largemouth, Smallmouth or
- Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Turkey Bayou, U.S. Forest Service  
Jackson County

- All Fish
- Channel Catfish
- Largemouth, Smallmouth or
- Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Whoopie Cat Lake, U.S. Forest Service  
Hardin County

- All Fish
- Channel Catfish
- Largemouth, Smallmouth or
- Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Sherman Park Lagoon, Chicago Park District  
Cook County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Siloam Springs Lake, Siloam Springs State Park  
Adams County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Trout
- Trout
- 2 Pole and Line Fishing Only (1)(7)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- Fall Closed Season (10)
- Spring Closed Season (11)

Siloam Springs State Park Buckhorn Unit Waters, Siloam Springs State Park  
Brown County

- All Fish
- 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Channel Catfish - 6 Fish Daily Creel Limit  
 Bluegill or Redear Sunfish - 8" Minimum Length Limit  
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 18" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

## Silver Lake, DuPage County Forest Preserve District

DuPage County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
 Trout - Spring Closed Season (11)

## Silver Springs S.P. (Big Lake) &amp; Ponds, Silver Springs State Fish and Wildlife Area

Kendall County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Trout - Fall Closed Season (10)  
 Trout - Spring Closed Season (11)

## Skokie Lagoons, Cook County Forest Preserve District

Cook County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Large or Smallmouth Bass (36)  
 Walleye - 14" Minimum Length Limit  
 - 18" Minimum Length Limit

## Small Pit Pond, Boone County Conservation District

Boone County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

## Snakeden Hollow State Fish and Wildlife Area - McMaster Lake and Small Ponds, State of Illinois

Knox County (see McMaster Lake and Small Ponds)

## Sparta City Lakes, City of Sparta

Randolph County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Sparta "T" Lake, City of Sparta

Randolph County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Bluegill or Redear Sunfish - 8" Minimum Length Limit  
 Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel Limit  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
 White, Black, or Hybrid - 9" Minimum Length Limit  
 Crappie - 10 Fish Daily Creel Limit  
 White, Black, or Hybrid  
 Crappie (15)

## Spencer Lake, Boone County Conservation District

Boone County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

## Spring Lake, City of Macomb

McDonough County  
 All Fish - 2 Pole and Line Fishing Only (1) (5)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
 Striped, White, or Hybrid - 17" Minimum Length Limit  
 Striped Bass  
 Striped, White, or Hybrid - 3 Fish Daily Creel Limit  
 Striped Bass (16)

## Spring Lakes (North &amp; South), Spring Lake Conservation Area (33)

Tazewell County  
 All Fish - 2 Pole and Line Fishing Only (1) (7)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 12-15" Slot Length Limit (3)  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
 Pure Muskellunge - 48" Minimum Length Limit (40)  
 White, Black, or Hybrid - 25 Fish Daily Creel Limit  
 Crappie (15)  
 White, Black, or Hybrid - 9" Minimum Length Limit  
 Crappie

## Spring Pond, Flagg-Rochelle Park District

Ogle County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Large or Smallmouth Bass - 14" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Starved Rock State Park (19)  
LaSalle County
- Staunton City Lake, City of Staunton  
Macoupin County
- All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Stephen A. Forbes State Park (19)  
Marion County
- Sterling Lake, Lake County Forest Preserve District  
Lake County
- All Fish - 2 Pole & Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Pure Muskellunge - 48" Minimum Length Limit
- Storm Lake, DeKalb Park District  
DeKalb County
- All Fish - 2 Pole and Line Fishing (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Stump Lake Wildlife Management Area (33)  
Jersey County
- Tampier Lake, Cook County Forest Preserve District  
Cook County
- All Fish - 2 Pole and Line Fishing Only (36)  
Bluegill or Redear Sunfish - 8" Minimum Length Limit  
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye, Sauger, or Hybrid - 18" Minimum Length Limit  
Walleye
- Taylorville Park District Pond, Taylorville Park District  
Christian County
- All Fish - 2 Pole and Line Fishing Only (1)
- Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Hamilton/Jefferson Counties (19)  
(Areas designated as refuge are closed to all access during the Canada goose season)
- All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit
- Tilton City Lake, City of Tilton
- Toledo Reservoir, City of Toledo  
Cumberland County
- All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit
- Turkey Bluff Ponds, State of Illinois Randolph County
- All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Turner Lake, Chain O'Lakes State Park  
Lake County
- All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit
- Tuscola City Lake, City of Tuscola  
Douglas County
- All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit
- Union County Conservation Area  
Union County
- (All fishing and boat traffic prohibited October 15-March 1)
- Valley Lake, Wildwood Park District  
Lake County
- All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Valmeyer Lake, City of Valmeyer  
Monroe County
- All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Vanhorn Woods Pond, Plainfield Park District  
Will County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Vermilion County  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Vernor Lake, City of Olney  
Richland County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass - 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit
- Villa Grove East Lake, City of Villa Grove  
Douglas County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass - 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit
- Villa Grove West Lake, City of Villa Grove  
Douglas County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass - 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- Fall Closed Season (10)
- Virginia City Reservoir, City of Virginia  
Cass County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass - 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit
- Waddams Creek  
Stephenson County  
Trout - Spring Closed Season (11)
- Walnut Point Lake, Walnut Point State Fish and Wildlife Area  
Douglas County  
All Fish  
Bluegill or Redear Sunfish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish (14) - 8" Minimum Length Limit  
- 10 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Walton Park Lake, City of Litchfield  
Montgomery County  
All Fish  
Bluegill or Redear Sunfish - 2 Pole and Line Fishing Only (1)  
- 8" Minimum Length Limit  
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Wampum Lake, Cook County Forest Preserve District  
Cook County  
All Fish - 2 Pole and Line Fishing Only (1)(36)  
Bluegill or Redear Sunfish - Catch and Release Only (9)  
Large or Smallmouth Bass - 14" Minimum Length Limit
- Washington County Lake, Washington County Conservation Area  
Washington County  
All Fish - 2 Pole and Line Fishing Only (1)(5)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Striped, White, or Hybrid - 17" Minimum Length Limit  
Striped Bass - 3 Fish Daily Creel Limit  
Striped, White, or Hybrid - 3 Fish Daily Creel Limit  
Striped Bass (16)
- Washington Park Lagoon, Chicago Park District  
Cook County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit
- Washington Park Pond, Springfield Park District  
Sangamon County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Trout - Fall Closed Season (10)  
Trout - Spring Closed Season (11)
- Waverly Lake, City of Waverly  
Morgan County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Weinberg-King Pond, Weinberg-King State Park  
Schuyler County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Weldon Springs Lake, Weldon Springs State Park  
Dewitt County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

West Frankfort New City Lake, City of West Frankfort  
Franklin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

West Frankfort Old City Lake, City of West Frankfort  
Franklin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

West Salem Reservoir, City of West Salem  
Edwards County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

White Hall City Lake, City of White Hall  
Greene County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

White Oaks Lake, City of Bloomington  
McLean County

- All Fish - 2 Pole and Line Fishing Only (1)
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Wilderness Pond, Fox Ridge State Park  
Coles County

- (Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (19))
- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 5 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 18" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

William W. Powers Conservation Area (33)  
Cook County

Willow Lake, Peabody River King State Conservation Area  
St. Clair County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- White, Black, or Hybrid - 25 Fish Daily Creel Limit
- Crappie - 9" Minimum Length Limit
- White, Black, or Hybrid - 9" Minimum Length Limit
- Crappie - 9" Minimum Length Limit
- Trout - Fall Closed Season (10)

Wolf Lake, William W. Powers Conservation Area (33)  
Cook County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit

Woodford Co. Cons. Area (Fishing Ditch), Woodford County (33)  
Conservation Area  
Woodford County

- All Fish - 2 Pole and Line Fishing Only (1)

Woodlawn Pond, Frankfort Square Park District  
Will County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Wyman Lake, City of Sullivan  
Moultrie County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Trout - Spring Closed Season (11)

Yellow Creek  
Stephenson County

- Trout - Spring Closed Season (11)

(Source: Amended at 25 Ill. Reg. 11386, effective August 14, 2001)

## DEPARTMENT OF NUCLEAR SAFETY

## NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Department of Nuclear Safety Science Scholarship Program
- 2) Code Citation: 32 Ill. Adm. Code 700
- 3) Section Number:
- |        |                         |
|--------|-------------------------|
| 700.10 | <u>Proposed Action:</u> |
| 700.20 | Repeal                  |
| 700.30 | Repeal                  |
| 700.40 | Repeal                  |
| 700.50 | Repeal                  |
| 700.60 | Repeal                  |
| 700.70 | Repeal                  |

- 4) Statutory Authority: Implementing and authorized by the Nuclear Safety Education Assistance Act [110 ILCS 965].

- 5) A Complete Description of the Subjects and Issues Involved: The Nuclear Safety Education Assistance Act was repealed during the first half session of the 92nd General Assembly (see P.A. 92-0243). The Department has not provided scholarship money to individuals participating in specialized scientific and/or engineering educational programs for the past several years. Therefore, the Department believes with the repeal of the statutory authority, this rule is no longer needed and is hereby repealing this Part.

- 6) Will this proposed repealer replace an emergency amendment currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed repealer contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: The proposed rulemaking is not expected to require local governments to establish, expand, or modify their activities in such a way as to necessitate additional expenditures from local revenues.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. The Department will consider fully all written comments on this proposed rulemaking submitted during the 45 day comment period. Comments should be submitted to:

Laura Stolpman

## DEPARTMENT OF NUCLEAR SAFETY

## NOTICE OF PROPOSED REPEALER

Staff Attorney  
Department of Nuclear Safety  
1035 Outer Park Drive  
Springfield, Illinois 62704  
(217) 785-9884 (voice)  
(217) 782-6133 (TDD)

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities or not for profit corporations affected: The Department does not believe that this repealer will impact small businesses, small municipalities or not for profit corporations.

- B) Reporting, bookkeeping or other procedures required for compliance:  
None

- C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included in either of the 2 most recent regulatory agendas because: This rulemaking was not anticipated by the Department when the regulatory agendas were published.

The full text of the Proposed Repealer begins on the next page:



## DEPARTMENT OF NUCLEAR SAFETY

## NOTICE OF PROPOSED REPEALER

## TITLE 32: ENERGY

CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY  
SUBCHAPTER e: GENERAL ADMINISTRATION

## PART 700

## DEPARTMENT OF NUCLEAR SAFETY SCIENCE SCHOLARSHIP PROGRAM (REPEALED)

Section 700.10	Purpose
700.20	Definitions
700.30	Scope of Science Education Scholarship Program
700.40	Qualification Criteria
700.50	Conditions of Award
700.60	Scholarship Application and Selection Process
700.70	Scholarship Application Procedures

AUTHORITY: Implementing and authorized by the Nuclear Safety Education Assistance Act (110 ILCS 965).

SOURCE: Adopted at 13 Ill. Reg. 17444, effective October 30, 1989; repealed at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 700.10 Purpose

The purpose of this Part is to implement a scholarship program to help advance the body of knowledge and assure the continued availability and expertise regarding radiation safety matters by supporting educational programs and research related to nuclear safety, including radiation protection and nuclear engineering, in Illinois public institutions of higher education, and by supporting participation in these programs by qualified students.

## Section 700.20 Definitions

"Act" means the Nuclear Safety Education Assistance Act (Ill. Rev. Stat. 1988 Supp., ch. 144, par. 2504 et seq.).

"Adult" means a person eighteen years of age or older.

"Approved program of research" means an academic investigation approved by and conducted by or under the control of a public institution of higher education, as determined by the Director of the Department in accordance with the provisions of this Part.

"Department" means the Illinois Department of Nuclear Safety.

"Director" means the Director of the Illinois Department of Nuclear Safety.

## DEPARTMENT OF NUCLEAR SAFETY

## NOTICE OF PROPOSED REPEALER

"Eligible program of study" means a formal course of study leading to a Baccalaureate or higher degree from a public institution of higher education, as determined by the Director. Eligible programs of study include, but are not limited to, the following: Biology, Chemistry, Engineering, Geology, Health Physics, Hydrogeology, Industrial Hygiene, and Physics. Expertise in the foregoing subjects is needed for the Department to fulfill its statutory responsibilities under the Radiation Protection Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 211 et seq.), the Illinois Low-Level Radioactive Waste Management Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 241-1 et seq.), and the Illinois Nuclear Safety Preparedness Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 4301 et seq.).

"Illinois Resident" means a person who, at the time of applying for a scholarship under this Part, is either:

An adult whose domicile has been in Illinois for a period of at least two years immediately preceding submission of an application for a scholarship;

An adult whose domicile is in Illinois and at least one of whose parents has established and is maintaining a residence in Illinois;

A minor whose domicile is in Illinois. A minor's domicile is that of his parents if they are living together, or that of the living parent if one is deceased, or if the parents are separated or divorced, that of the parent to whom the custody of the minor has been awarded by court decree or order, or in the absence of a court decree or order, that of parent with whom the minor has continuously resided for a period of at least two years, or if the minor has a legal guardian other than a parent, the residence of that legal guardian; or

An emancipated minor who has maintained a domicile within the State of Illinois for a period of at least two consecutive years immediately prior to applying for a scholarship or whose parents have established and are maintaining a domicile in the State. An emancipated minor is one who is completely or predominantly self-supporting. Marriage shall be regarded as affecting the emancipation of minors, whether male or female.

"Minor" means a person under the age of eighteen.

"Public institution of higher education" means an Illinois public institution of higher education as defined in "AN ACT creating a Board of Higher Education, defining its powers and duties, making an appropriation therefor, and repealing an Act herein named" (Ill. Rev. Stat. 1987, ch. 144, par. 188 et seq.).

"Scholar" means the recipient of a scholarship for an eligible program of study leading to the award of a baccalaureate or higher degree.

## DEPARTMENT OF NUCLEAR SAFETY

## NOTICE OF PROPOSED REPEALER

**Section 700.30 Scope of Science Education Scholarship Program**

- a) The Science Education Scholarship Program includes scholarships and grants for special study and education projects designed to enhance the study of and body of expertise in those sciences pertaining to nuclear safety and related fields.
- b) Under the scholarship program the Department shall, in accordance with the provisions of this Part, award fully funded college scholarships. The Department's scholarships will pay the scholars for educational expenses associated with attending a public institution of higher education. Expenses paid by the Department shall be limited to tuition and fees, room and board, required books, and miscellaneous expenses (e.g. travel, daily expenses, etc.). Miscellaneous expenses will be limited to \$200 dollars per month. If a scholar chooses to live off campus, the scholarship will provide room and board funds only up to that amount assessed for on campus room and board by the public institution of higher education that the scholar will be attending. If the public institution of higher education that the scholar will be attending does not provide room and board, the Department will provide room and board funds only up to that amount estimated by the public institution of higher education as being a reasonable estimate for off campus room and board. In the event that no such reasonable estimate is provided to the Department, the Department will determine, by consulting other area institutions of higher education, and provide a reasonable sum per semester towards room and board.
- c) In order to promote greater understanding of the role of the administrative agency in assuring radiation safety, the Director also may offer temporary or part-time employment with the Department to scholars.

**Section 700.40 Qualification Criteria**

- a) Basic Eligibility Requirements. The applicant must:
  - 1) be an Illinois resident at the time of application; and
  - 2) be accepted by or enrolled in a public institution of higher education as a full-time student, in an eligible program of study. The program or study must have direct application to the fields of endeavor of the Department (e.g. radiation protection, environmental monitoring, health physics).
- b) Academic qualifications:
  - 1) If the applicant is a high school senior, the applicant must:
    - A) be recommended by his or her science department director and high school principal,
    - B) be in the upper 20% academically of his or her graduating class, and
    - C) have displayed an interest in, and acumen for, the physical or biological sciences. This display may take the form, for

## DEPARTMENT OF NUCLEAR SAFETY

## NOTICE OF PROPOSED REPEALER

- example, of academic achievement, participation in science fairs, pursuing science courses at community colleges, performing independent extracurricular research, etc.
- 2) If the applicant is an undergraduate student, the applicant must:
    - A) be enrolled in an eligible program of study,
    - B) be recommended for the award by the dean or chairman of the science department in which the applicant is pursuing an eligible program of study, and
    - C) have an overall academic average of B or better and an overall average of B or better in the science department courses.
  - 3) If the applicant is a graduate student, the applicant must:
    - A) be recommended for the award by the dean or chairman of the science department in which the applicant is pursuing an eligible program of study,
    - B) have or have graduated with an overall academic average of B or better and an overall average of B+ or better in the science department courses, and
    - C) describe the relevance of his proposed research program to either the statutory duties of the Department or the contribution of the proposed program to the body of knowledge of radiation safety.

**Section 700.50 Conditions of Award**

The applicant must agree in writing to the following conditions:

- a) The scholar will not change his or her choice of college or program of study without first obtaining the approval of the Director.
  - b) If the scholar withdraws from, is dismissed from, or fails to continue to pursue an eligible program of study, the scholarship will be withdrawn and the scholar shall repay the State of Illinois in full for all expenses paid to that date in connection with the scholarship. Repayment shall be in accordance with the provisions of subsection (d).
- AGENCY NOTE: A scholar whose permanent residence changes from Illinois to another State, after selection for the scholarship program, will continue to be eligible for continuation in the scholarship program so long as the scholar continues to pursue an eligible program of study at an Illinois institution of higher education and meets the scholastic standards specified in this Part.
- c) If the scholar is an undergraduate student, the scholar must maintain both a cumulative average in all subjects of B and an average of B or better in the science department program of study. If the scholar is a graduate student, he must maintain a cumulative average of B+ or better. Averages shall be evaluated at the end of each regular grading period of the public institution of higher education. If the scholar fails to maintain these academic standards, the scholarship will be withdrawn and the scholar shall be responsible for repaying



## DEPARTMENT OF NUCLEAR SAFETY

## NOTICE OF PROPOSED REPEALER

the State of Illinois in full for all expenses paid to the scholar in connection with the scholarship up to the date of withdrawal of the scholarship. A scholar who fails to maintain the required average in all subjects or in the eligible program of study, evaluated at the end of each grading period, may submit a letter to the Director requesting to be granted probationary status for one grading period in order to raise his or her grades to the required level. The Director will grant such request if the scholar has shown that the failure to attain the required averages resulted from good cause, e.g., illness, family responsibilities, etc. Failure to attain the required cumulative averages at the end of the probationary period will result in the loss of scholarship and the scholar will be required to repay the State of Illinois in full for all expenses paid in connection with the scholarship to the date of withdrawal of the scholarship. Such repayment shall be in accordance with the provisions of subsection (d).

d) If the scholar is required to repay the scholarship because the scholarship is withdrawn (see subsection (b)) or because the scholar has failed to maintain the required cumulative grade averages (see subsection (c)) the repayment shall be made in equal monthly installments over a period of ten years at ten percent simple interest. There shall be no early repayment penalty. The first repayment shall be due on a date specified by the Director, which date shall be no earlier than twelve (12) months after the scholar has ceased to be enrolled as a full-time student in a public institution of higher education.

e) If such employment is offered, scholars that graduate without having the scholarship withdrawn must agree to accept employment, upon graduation, with the Department, the operator of a regional facility for the disposal of low level radioactive waste in Illinois, or a public utility owning or operating a nuclear power plant in Illinois. Mandatory employment shall be for a period of one calendar year for each academic year of scholarship period accepted. Partial academic years shall be prorated. If employment with the Department, the low level radioactive waste disposal facility or a nuclear power utility is not offered at least 30 days prior to graduation, the applicant is under no obligation to accept employment with the Department, the operator of a regional facility for disposal of low-level radioactive waste, or a public utility or to repay the scholarship expenses. Fulfillment of the employment obligation may be deferred during any period in which the scholar participates in full-time graduate studies leading towards an advanced degree.

f) If the scholar completes the program but refuses to accept offered employment with the Department, the operator of a regional facility for the disposal of low-level radioactive waste in Illinois, or a public utility owning or operating a nuclear power plant in Illinois, he or she is required to repay the State of Illinois in full for all expenses paid by the Department in connection with the scholarship.

## DEPARTMENT OF NUCLEAR SAFETY

## NOTICE OF PROPOSED REPEALER

If the scholar terminates employment, for any reason other than to pursue full-time graduate studies, or if the scholar has his or her employment terminated for cause prior to completion of the mandatory employment period, he or she is required to repay the State of Illinois in full for all expenses associated with the scholarship, prorated for the unexpired mandatory employment period. If the scholar is required to repay the scholarship under this section, the repayment shall be made in equal monthly installments over a period of two years at ten percent simple interest. There shall be no penalty for early payment. If termination by the employer is other than for cause, the scholar shall be under no obligation to repay the scholarship expenses.

**Section 700.60 Scholarship Application and Selection Process**

a) Scholarship applicants may apply for consideration for the award for Department scholarship by submitting an application, on a form provided by the Director of the Department. The application shall include the following information:

- 1) Evidence that the State residency requirements has been met;
  - 2) Evidence of acceptance at or enrollment in a public institution of higher education. Letters of acceptance must be received by the Department before the Selection Board convenes;
  - 3) For high school seniors, transcripts showing the applicant's high school graduating academic average;
  - 4) For high school seniors, written recommendations of the science department director and high school principal;
  - 5) For undergraduate and graduate students, transcripts showing the applicant's cumulative college academic average, and grades in science department courses;
  - 6) For undergraduate and graduate students, written recommendations of the science department chairman and college dean;
  - 7) A statement of the applicant's personal educational goals, including a description of the scope and nature of the proposed program of study;
  - 8) A statement describing the applicant's financial need.
- b) Every applicant (if the applicant is an adult residing outside his or her parents' home) or the parents or legal guardian of every applicant citing financial need is required to submit financial information, which will be kept confidential. All confidential statements must be signed, certifying the parents' willingness to submit an official copy of their federal and state income tax returns, if requested. A statement of financial need must substantiate the applicant's inability to pursue or complete the eligible course of study due to lack of financial support from all other sources.
- c) The Director will convene and chair a Science Education Scholarship Selection Board to review applications for the scholarship. The Science Education Scholarship Selection Board will consist of the



## DEPARTMENT OF NUCLEAR SAFETY

## NOTICE OF PROPOSED REPEALER

Director; the Managers of the Offices of: Environmental Safety, Administrative Support, Nuclear Facility Safety, and Radiation Safety; Chief Legal Counsel; and the Training/Human Resources Coordinator (non-voting).

1) Selection will be based on:

- A) Applicability of the proposed program of study to nuclear safety objectives, projects, or needs,
- B) Demonstrated acumen and scientific competence of the applicant,
- C) Recommendations of school officials, and
- D) Financial need.

2) If the Board is unable to select a scholarship recipient based solely on the written applications, the Board will require those applicants who are still under consideration after review of the written applications to appear before the Science Education Scholarship Selection Board. The purpose of the appearance would be to better define the applicant's stated educational program objectives and the relevance of these objectives to the Department's statutory duties. Information obtained during the appearances will be used to select among those applicants still under consideration.

3) In awarding scholarships under this Part, the Director shall give preference to qualified applicants who reside in a county where a regional facility for the disposal of low-level radioactive waste is located as provided in Section 6 of the Act.

4) In awarding scholarships under this Part, the Director will actively encourage applications from and give due consideration to qualified applicants who are minority persons or females, as defined in Minority and Female Business Enterprise Act (Ill. Rev. Stat. 1987, ch. 127, par. 132.600 et seq.).

## Section 700.70 Scholarship Application Procedures

a) Each applicant must submit:

- 1) an application, as provided in Section 700.60(a), with all written recommendations, transcripts and personal statements, by the announced deadline;
  - 2) his or her social security number; and
  - 3) a description of all additional gifts, grants, financial aid, specifying amounts and restrictions on its use.
- b) Information submitted on or in support of an application is not subject to return to the applicant.
- c) Unless the applicant is requested to appear before the Science Education Scholarship Selection Board, the selection will be based on the submitted documents and statements.
- d) Any change in the applicant's circumstances (e.g. acceptance into the college cited in the application; change in choice of program of study, financial need, etc.) must be submitted by separate letter

## DEPARTMENT OF NUCLEAR SAFETY

## NOTICE OF PROPOSED REPEALER

prior to the convening of the Science Education Scholarship Selection Board. Failure to do so may be cause for disqualification.

- e) Incomplete applications will be placed in a pending status until all information is submitted. It is the responsibility of the applicant to ensure that all information is submitted. Applications not complete when the Science Education Scholarship Selection Board convenes will not be considered.
- f) Acceptance of any monetary award intended to cover all or part of tuition and fees, room and board, books and required materials will reduce the amount of support provided by the Department by an equal amount.
- g) Submission of an application containing false statements or data shall be cause for disqualification of the application and revocation of a scholarship. The scholar shall repay in full all expenses paid by the Department prior to revocation of the scholarship, in accordance with Section 700.50(d).

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Hospital Services
- 2) Code Citation: 89 Ill. Adm. Code 148
- 3) Section Numbers: Proposed Action:  
148.295 Amendment  
148.296 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13], Public Act 92-0008 and Public Act 92-0010

5) Complete Description of the Subjects and Issues Involved: These proposed amendments to the Department's rules concerning hospital services are necessary to implement payment methodology changes as required by the State's fiscal year 2002 budget plan. The amendments will result in the augmentation of certain inpatient reimbursement levels under Critical Hospital Adjustment Payments and Tertiary Care Adjustment Payments.

Under CHAP, the Direct Hospital Adjustment (DHA) eligibility criteria are being expanded to include a greater number of hospitals on the basis of Medicaid Inpatient Utilization Rates (MIUR), total days of care provided and, in some cases, the provision of obstetrical care. Additionally, certain DHA rates will be increased, some hospitals that have not benefitted from DHA rates will begin receiving such adjustments, and other adjustments will be provided on the basis of factors including Perinatal Level status, average length of stay and MIUR. For fiscal year 2002, quarterly expenditures are expected to increase by approximately \$4.7 million on the basis of these changes.

Under Tertiary Care Adjustment Payments, which are provided for higher level and complex medical care, proposed changes are being made concerning rates for out of State children's hospitals. For such hospitals, a lower day threshold of 1,001 Qualified Days will allow for greater adjustment payment levels for qualifying hospitals. For fiscal year 2002, these changes are expected to result in an increase in quarterly expenditures of approximately \$300,000.

6) Will these proposed amendments replace emergency amendments currently in effect? Yes

7) Do these rulemakings contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? Yes

Sections Proposed Action Illinois Register Citation  
148.285 Amendment June 22, 2001 (25 Ill. Reg. 7536)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- 148.410 New Section August 10, 2001 (25 Ill. Reg. 9827)
- 148.420 New Section August 10, 2001 (25 Ill. Reg. 9827)
- 148.500 New Section October 5, 2001 (25 Ill. Reg. 12517)
- 148.510 New Section October 5, 2001 (25 Ill. Reg. 12517)
- 148.600 New Section October 5, 2001 (25 Ill. Reg. 12517)
- 148.610 New Section October 5, 2001 (25 Ill. Reg. 12517)
- 148.620 New Section October 5, 2001 (25 Ill. Reg. 12517)
- 148.630 New Section October 5, 2001 (25 Ill. Reg. 12517)
- 148.640 New Section October 5, 2001 (25 Ill. Reg. 12517)
- 148.TABLE A New Section October 5, 2001 (25 Ill. Reg. 12517)
- 148.TABLE B New Section October 5, 2001 (25 Ill. Reg. 12517)
- 148.TABLE C New Section October 5, 2001 (25 Ill. Reg. 12517)

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place, and Manner in Which Interested Persons May Comment on this Proposed Rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Joanne Jones  
Office of the General Counsel, Rules Section  
Illinois Department of Public Aid  
201 South Grand Avenue East, Third Floor  
Springfield, Illinois 62763-0002  
Telephone: (217)524-0081

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

Any interested persons may review these proposed amendments at the Illinois Department of Human Services' local offices located in each county (except Cook County). In Cook County, the amendments may be reviewed at the Office of the Director, Illinois Department of Public Aid, 100 West Randolph, Tenth Floor, Chicago, Illinois, and the Office of the Secretary, Illinois Department of Human Services, 401 South Clinton, Seventh Floor, Chicago, Illinois. The amendments may be reviewed at all offices Monday through Friday from 8:30 a.m. until 5:00 p.m.

These proposed amendments may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: Hospitals will be affected by this rulemaking. The Department does not believe that any of the affected entities qualify as small businesses.

B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on Which this Rulemaking Was Summarized: July 2001

The full text of the proposed amendments is identical to the text of the emergency amendments that appears in this issue of the *Illinois Register* on page 12758.

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Income Tax

2) Code Citation: 86 Ill. Adm. Code 100

3) Section Numbers: Proposed Action:  
100.4500 New Section  
100.9750 New Section

4) Statutory Authority: 35 ILCS 5/102, 405 and 1501

5) A Complete Description of the Subjects and Issues Involved: This rulemaking provides guidance for determining when an entity will be classified as a "corporation," a "partnership," a "Subchapter S corporation," or a "trust" for Illinois income tax purposes. It also provides guidance for determining when a reorganization or transfer of ownership of one of these entities will cause it to cease to exist or to continue on as the same entity, and how the reorganization or transfer will affect the taxation of any new entity created by the transaction. In particular, guidance for carryovers of losses and credits after a reorganization or transfer under IITA Section 405 is provided.

6) Will this proposed amendment replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>IL Register Citation</u>
100.2101	Amendment	8/24/01, 25 Ill. Reg. 10711
100.5270	Amendment	8/31/01, 25 Ill. Reg. 11035
100.2163	New Section	9/07/01, 25 Ill. Reg. 11340
100.7010	Amendment	9/14/01, 25 Ill. Reg. 11741
100.2170	Amendment	9/21/01, 25 Ill. Reg. 12076
100.2198	New Section	9/28/01, 25 Ill. Reg. 12388
100.2199	New Section	10/5/01, 25 Ill. Reg. 12559

10) Statement of Statewide Policy Objectives: This rulemaking does not create a State mandate, nor does it modify any existing State mandates.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rulemaking may submit them in writing by no later than 45 days after publication of this notice to:

Paul Caselton



## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

Deputy General Counsel - Income Tax  
Illinois Department of Revenue  
Legal Services Office  
101 West Jefferson  
Springfield, Illinois 62794  
Phone: (217) 782-7055

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: Small businesses operating as partnerships, corporations or Subchapter S corporations will receive guidance on how a reorganization of the business will affect their Illinois income tax computations.

B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary for compliance: No new skills are required.

13) Regulatory Agenda on which this rulemaking was summarized: July 2001

The full text of the Proposed Amendments begins on the next page:

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUEPART 100  
INCOME TAX

## SUBPART A: TAX IMPOSED

Section	
100.2000	Introduction
100.2050	Net Income (IITA Section 202)
	SUBPART B: CREDITS
	Replacement Tax Investment Credit Prior to January 1, 1994 (IITA 201(e))
	Replacement Tax Investment Credit (IITA 201(e))
	Investment Credit; Enterprise Zone (IITA 201(f))
	Jobs Tax Credit; Enterprise Zone and Foreign Trade Zone or Sub-Zone (IITA 201(g))
	Investment Credit; High Impact Business (IITA 201(h))
	Credit Against Income Tax for Replacement Tax (IITA 201(i))
	Training Expense Credit (IITA 201(j))
	Research and Development Credit (IITA 201(k))
	Education Expense Credit (IITA 201(m))
	Tax Credits for Coal Research and Coal Utilization Equipment (IITA 206)
	Credit for Residential Real Property Taxes (IITA 208)
	Dependent Care Assistance Program Tax Credit (IITA 210)

SUBPART C: NET OPERATING LOSSES OF UNITARY BUSINESS GROUPS  
OCCURRING PRIOR TO DECEMBER 31, 1986

Section	
100.2200	Net Operating Losses Occurring Prior to December 31, 1985, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (IITA Section 202) - Scope
100.2210	Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) - Definitions
100.2220	Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) - Current Net Operating Losses: Offsets Between Members
100.2230	Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) - Carrybacks and Carryforwards

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

- 100.2240 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) - Effect of Combined Net Operating Loss in Computing Illinois Base Income
- 100.2250 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) - Deadline for Filing Claims Based on Net Operating Losses Carried Back From a Combined Apportionment Year

SUBPART D: ILLINOIS NET LOSS DEDUCTIONS OCCURRING ON OR AFTER  
DECEMBER 31, 1986

- Section  
100.2300 Illinois Net Loss Deductions for Losses Occurring On or After December 31, 1986
- 100.2310 Computation of the Illinois Net Loss Deduction
- 100.2320 Determination of the Amount of Illinois Net Loss Carryovers
- 100.2330 Illinois Net Loss Carrybacks and Net Loss Carryovers for Losses Occurring on or After December 31, 1986
- 100.2340 Illinois Net Loss Deductions of Corporations That are Members of a Unitary Business Group: Separate Unitary Versus Combined Unitary Returns
- 100.2350 Illinois Net Loss Deductions of Corporations that are Members of a Unitary Business Group: Changes in Membership

SUBPART E: ADDITIONS TO AND SUBTRACTIONS FROM TAXABLE INCOME OF INDIVIDUALS,  
CORPORATIONS, TRUSTS AND ESTATES AND PARTNERSHIPS

- Section  
100.2470 Subtraction of Amounts Exempt from Taxation by Virtue of Illinois Law, the Illinois or U.S. Constitutions, or by Reason of U.S. Treaties or Statutes (IITA Sections 203(a)(2)(N), 203(b)(2)(J), 203(c)(2)(K) and 203(d)(2)(G))
- 100.2480 Enterprise Zone Dividend Subtraction (IITA Sections 203(a)(2)(J), 203(b)(2)(K), 203(c)(2)(M) and 203(d)(2)(K))

SUBPART F: BASE INCOME OF INDIVIDUALS

- Section  
100.2580 Medical Care Savings Accounts (IITA Sections 203(a)(2)(D-5), 203(a)(2)(S) and 203(a)(2)(T))
- 100.2590 Taxation of Certain Employees of Railroads, Motor Carriers, Air Carriers and Water Carriers

SUBPART G: BASE INCOME OF TRUSTS AND ESTATES

Section

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

- 100.2680 Capital Gain Income of Estates and Trusts Paid to or Permanently Set Aside for Charity (Repealed)

SUBPART I: GENERAL RULES OF ALLOCATION AND APPORTIONMENT OF  
BASE INCOME

- Section  
100.3000 Terms Used in Article 3 (IITA Section 301)
- 100.3010 Business and Nonbusiness Income (IITA Section 301)
- 100.3020 Resident (IITA Section 301)

SUBPART J: COMPENSATION PAID TO NONRESIDENTS

- Section  
100.3100 Compensation (IITA Section 302)
- 100.3110 State (IITA Section 302)
- 100.3120 Allocation of Compensation Paid to Nonresidents (IITA Section 302)

SUBPART K: NON-BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

- Section  
100.3200 Taxability in Other State (IITA Section 303)
- 100.3210 Commercial Domicile (IITA Section 303)
- 100.3220 Allocation of Certain Items of Nonbusiness Income by Persons Other than Residents (IITA Section 303)

SUBPART L: BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

- Section  
100.3300 Allocation and Apportionment of Base Income (IITA Section 304)
- 100.3310 Business Income of Persons Other than Residents (IITA Section 304) - In General
- 100.3320 Business Income of Persons Other Than Residents (IITA Section 304) - Apportionment (Repealed)
- 100.3330 Business Income of Persons Other Than Residents (IITA Section 304) - Allocation
- 100.3340 Business Income of Persons Other Than Residents (IITA Section 304)
- 100.3350 Property Factor (IITA Section 304)
- 100.3360 Payroll Factor (IITA Section 304)
- 100.3370 Sales Factor (IITA Section 304)
- 100.3380 Special Rules (IITA Section 304)
- 100.3390 Petitions for Alternative Allocation or Apportionment (IITA Section 304(f))

SUBPART M: ACCOUNTING

Section

100.4500 Carryovers of Tax Attributes (IITA Section 405)

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

## SUBPART N: TIME AND PLACE FOR FILING RETURNS

Section  
100.5000 Time for Filing Returns: Individuals (IITA Section 505)  
100.5010 Place for Filing Returns: All Taxpayers (IITA Section 505)  
100.5020 Extensions of Time for Filing Returns: All Taxpayers (IITA Section 505)  
100.5030 Taxpayer's Notification to the Department of Certain Federal Changes Arising in Federal Consolidated Return Years, and Arising in Certain Loss Carryback Years (IITA Section 506)  
100.5040 Innocent Spouses

## SUBPART O: COMPOSITE RETURNS

Section  
100.5100 Composite Returns: Eligibility  
100.5110 Composite Returns: Responsibilities of Authorized Agent  
100.5120 Composite Returns: Individual Liability  
100.5130 Composite Returns: Required forms and computation of Income  
100.5140 Composite Returns: Estimated Payments  
100.5150 Composite Returns: Tax, Penalties and Interest  
100.5160 Composite Returns: Credit for Resident Individuals  
100.5170 Composite Returns: Definition of a "Lloyd's Plan of Operation"

## SUBPART P: COMBINED RETURNS

Section  
100.5200 Filing of Combined Returns  
100.5201 Definitions and Miscellaneous Provisions Relating to Combined Returns  
100.5205 Election to File a Combined Return  
100.5210 Procedures for Elective and Mandatory Filing of Combined Returns  
100.5220 Designated Agent for the Members  
100.5230 Combined Estimated Tax Payments  
100.5240 Claims for Credit of Overpayments  
100.5250 Liability for Combined Tax, Penalty and Interest  
100.5260 Combined Amended Returns  
100.5265 Common Taxable Year  
100.5270 Computation of Combined Net Income and Tax  
100.5280 Combined Return Issues Related to Audits

## SUBPART Q: REQUIREMENT AND AMOUNT OF WITHHOLDING

Section  
100.7000 Requirement of Withholding (IITA Section 701)  
100.7010 Compensation Paid in this State (IITA Section 701)  
100.7020 Transacting Business Within this State (IITA Section 701)  
100.7030 Payments to Residents (IITA Section 701)

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

100.7040 Employer Registration (IITA Section 701)  
100.7050 Computation of Amount Withheld (IITA Section 701)  
100.7060 Additional Withholding (IITA Section 701)  
100.7070 Voluntary Withholding (IITA Section 701)  
100.7080 Correction of Underwithholding or Overwithholding (IITA Section 701)  
100.7090 Reciprocal Agreement (IITA Section 701)  
100.7095 Cross References

## SUBPART R: AMOUNT EXEMPT FROM WITHHOLDING

Section  
100.7100 Withholding Exemption (IITA Section 702)  
100.7110 Withholding Exemption Certificate (IITA Section 702)  
100.7120 Exempt Withholding Under Reciprocal Agreements (IITA Section 702)

## SUBPART S: INFORMATION STATEMENT

Section  
100.7200 Reports for Employee (IITA Section 703)

## SUBPART T: EMPLOYER'S RETURN AND PAYMENT OF TAX WITHHELD

Section  
100.7300 Returns of Income Withheld from Wages (IITA Section 704)  
100.7310 Quarterly Returns Filed on an Annual Basis (IITA Section 704)  
100.7320 Time for Filing Returns (IITA Section 704)  
100.7330 Payment of Tax Deducted and Withheld (IITA Section 704)  
100.7340 Correction of Underwithholding or Overwithholding (IITA Section 704)

## SUBPART U: COLLECTION AUTHORITY

Section  
100.9000 General Income Tax Procedures (IITA Section 901)  
100.9010 Collection Authority (IITA Section 901)  
100.9020 Child Support Collection (IITA Section 901)

## SUBPART V: NOTICE AND DEMAND

Section  
100.9100 Notice and Demand (IITA Section 902)

## SUBPART W: ASSESSMENT

Section  
100.9200 Assessment (IITA Section 903)  
100.9210 Waiver of Restrictions on Assessments (IITA Section 907)



## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

## SUBPART X: DEFICIENCIES AND OVERPAYMENTS

Section  
100.9300 Deficiencies and Overpayments (IITA Section 904)  
100.9310 Application of Tax Payments Within Unitary Business Groups (IITA Section 603)  
100.9320 Limitations on Notices of Deficiency (IITA Section 905)  
100.9330 Further Notices of Deficiency Restricted (IITA Section 906)

## SUBPART Y: CREDITS AND REFUNDS

Section  
100.9400 Credits and Refunds (IITA Section 909)  
100.9410 Limitations on Claims for Refund (IITA Section 911)  
100.9420 Recovery of Erroneous Refund (IITA Section 912)

## SUBPART Z: INVESTIGATIONS AND HEARINGS

Section  
100.9500 Access to Books and Records (IITA Section 913)  
100.9505 Access to Books and Records -- 60-Day Letters (IITA Section 913) (Repealed)  
100.9510 Taxpayer Representation and Practice Requirements  
100.9520 Conduct of Investigations and Hearings  
100.9530 Books and Records

## SUBPART AA: JUDICIAL REVIEW

Section  
100.9600 Administrative Review Law (IITA Section 1201)

## SUBPART BB: DEFINITIONS

Section  
100.9700 Unitary Business Group Defined (IITA Section 1501)  
100.9710 Financial Organizations (IITA Section 1501)  
100.9720 Nexus  
100.9750 Corporation, Subchapter S Corporation, Partnership and Trust Defined (IITA Section 1501)

## SUBPART CC: LETTER RULING PROCEDURES

Section  
100.9800 Letter Ruling Procedures

## APPENDIX A

Business Income Of Persons Other Than Residents

TABLE A Example of Unitary Business Apportionment

TABLE B Example of Unitary Business Apportionment for Groups Which Include

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

## Members Using Three-Factor and Single-Factor Formulas

**AUTHORITY:** Implementing the Illinois Income Tax Act [35 ILCS 5] and authorized by Section 1401 of the Illinois Income Tax Act [35 ILCS 5/1401].

**SOURCE:** Filed July 14, 1971, effective July 24, 1971; amended at 2 Ill. Reg. 49 p. 84, effective November 29, 1978; amended at 5 Ill. Reg. 813, effective January 7, 1981; amended at 5 Ill. Reg. 4617, effective April 14, 1981; amended at 5 Ill. Reg. 4624, effective April 14, 1981; amended at 5 Ill. Reg. 5537, effective May 7, 1981; amended at 5 Ill. Reg. 5705, effective May 20, 1981; amended at 5 Ill. Reg. 5883, effective May 20, 1981; amended at 5 Ill. Reg. 6843, effective June 16, 1981; amended at 5 Ill. Reg. 13244, effective November 13, 1981; amended at 5 Ill. Reg. 13724, effective November 30, 1981; amended at 6 Ill. Reg. 579, effective December 29, 1981; amended at 6 Ill. Reg. 9701, effective July 26, 1982; amended at 7 Ill. Reg. 399, effective December 28, 1982; amended at 8 Ill. Reg. 6184, effective April 24, 1984; codified at 8 Ill. Reg. 19574; amended at 9 Ill. Reg. 16986, effective October 21, 1985; amended at 9 Ill. Reg. 685, effective December 31, 1985; amended at 10 Ill. Reg. 7913, effective April 28, 1986; amended at 10 Ill. Reg. 19512, effective November 3, 1986; amended at 10 Ill. Reg. 21941, effective December 15, 1986; amended at 11 Ill. Reg. 831, effective December 24, 1986; amended at 11 Ill. Reg. 2450, effective January 20, 1987; amended at 11 Ill. Reg. 12410, effective July 8, 1987; amended at 11 Ill. Reg. 17782, effective October 16, 1987; amended at 12 Ill. Reg. 4865, effective February 25, 1988; amended at 12 Ill. Reg. 6748, effective March 25, 1988; amended at 12 Ill. Reg. 11766, effective July 1, 1988; amended at 12 Ill. Reg. 14307, effective August 29, 1988; amended at 13 Ill. Reg. 8917, effective May 30, 1989; amended at 13 Ill. Reg. 10952, effective June 26, 1989; amended at 14 Ill. Reg. 4558, effective March 8, 1990; amended at 14 Ill. Reg. 6810, effective April 19, 1990; amended at 14 Ill. Reg. 10082, effective June 7, 1990; amended at 14 Ill. Reg. 16012, effective September 17, 1990; emergency amendment at 17 Ill. Reg. 473, effective December 22, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 8869, effective June 2, 1993; amended at 17 Ill. Reg. 13776, effective August 9, 1993; recodified at 17 Ill. Reg. 14189; amended at 17 Ill. Reg. 19632, effective November 1, 1993; amended at 17 Ill. Reg. 19966, effective November 9, 1993; amended at 18 Ill. Reg. 1510, effective January 13, 1994; amended at 18 Ill. Reg. 2494, effective January 28, 1994; amended at 18 Ill. Reg. 7768, effective May 4, 1994; amended at 19 Ill. Reg. 1839, effective February 6, 1995; amended at 19 Ill. Reg. 5824, effective March 31, 1995; emergency amendment at 20 Ill. Reg. 1616, effective January 9, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 6981, effective May 7, 1996; amended at 20 Ill. Reg. 10706, effective July 29, 1996; amended at 20 Ill. Reg. 13365, effective September 27, 1996; amended at 20 Ill. Reg. 14617, effective October 29, 1996; amended at 21 Ill. Reg. 958, effective January 6, 1997; emergency amendment at 21 Ill. Reg. 2969, effective February 24, 1997, for a maximum of 150 days; emergency expired July 24, 1997; amended at 22 Ill. Reg. 2234, effective January 9, 1998; amended at 22 Ill. Reg. 19033, effective October 1, 1998; amended at 22 Ill. Reg. 21623, effective December 15, 1998; amended at 23 Ill. Reg. 3808, effective March 11,

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

1999; amended at 24 Ill. Reg. 10593, effective July 7, 2000; amended at 24 Ill. Reg. 12068, effective July 26, 2000; emergency amendment at 24 Ill. Reg. 17585, effective November 17, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 18731, effective December 11, 2000; amended at 25 Ill. Reg. 4640, effective March 15, 2001; amended at 25 Ill. Reg. 4929, effective March 15, 2001; amended at 25 Ill. Reg. 5374, effective April 2, 2001; amended at 25 Ill. Reg. 6687, effective May 9, 2001; amended at 25 Ill. Reg. 7250, effective May 25, 2001; amended at 25 Ill. Reg. 8333, effective June 22, 2001; amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART M: ACCOUNTING

Section 100.4500 Carryovers of Tax Attributes (IITA Section 405)

a) In general. Except as expressly provided by statute, carryovers of net loss deductions and credits are only allowed to be claimed by the taxpayer that incurred the loss or earned the credit. See, e.g., New Colonial Ice Co. v. Helvering, 292 U.S. 435 (1934).

1) A corporation that acquires the business of another corporation that has incurred net losses may not carry forward the losses incurred by the old corporation. See New Colonial Ice Co.

2) One exception to this general rule occurs in cases where, as the result of a statutory merger, a corporation is treated as the same taxable entity as the corporations merged into it. Even then, carryovers are allowed only to the extent there is a continuity of business enterprise between the pre- and post-merger entities. See Libson Shops, Inc. v. Koehler, 354 U.S. 382 (1957); Newmarket Manufacturing Co. v. U.S., 233 F.2d 493 (1st Cir. 1956).

3) In other situations that are not covered by an express provision of the IITA, net loss deductions incurred and credits earned by one entity may be carried back or forward for use only by that same entity, and cannot be used by a different entity. This rule applies to prevent the carryover of items when an entity is deemed to be a new entity for purposes of the Internal Revenue Code and the IITA despite its continued legal existence. For example:

A) Company, a limited liability company wholly owned by Corporation A, has made an election under Treas. Reg. Section 301.7701(a) to be disregarded as a separate entity and to be treated as a division of Corporation A. On January 1, 2000, Company elects to be treated as a corporation. On that same date, Corporation A sells its interest in Company. Before January 1, 2000, Company and Corporation A are treated as a single corporation. See Section 100.9750(b)(1) of this Part. After the election, Company is treated as a new corporation to which Corporation A has contributed assets in exchange for stock. See Section

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

100.9750(b)(2)(A) of this Part. Because Company is treated as a new corporation separate and distinct from Corporation A, net losses incurred and credits earned by Company and Corporation A before January 1, 2000 cannot be carried forward and used by Company after that date, and losses incurred by Company on or after January 1, 2000 cannot be carried back and used by Corporation A or Company in years prior to that date.

B) The stock of Corporation B is sold in a transaction for which an IRC Section 338 election is made. Corporation B is treated as a new corporation that purchased all of the assets of Corporation B. Because Corporation B is treated as two separate and distinct corporations before and after the election, net losses incurred and credits earned by "old" Corporation B before the election may not be carried forward, and losses incurred by "new" Corporation B after the election may not be carried back. See Section 100.9750(b)(2)(B) of this Part.

b) Carryovers after corporate acquisitions. IITA Section 405(a) provides that, when a corporation acquires the assets of another corporation in a transaction described in IRC Section 381(a), the acquiring corporation shall succeed to and take into account, as of the close of the day of distribution or transfer, all Article 2 credits and net losses under Section 207 of the corporation from which the assets were acquired. IRC Section 381(a) provides that, after certain specified transactions in which one corporation acquires the assets of another corporation, the acquiring corporation shall succeed to many of the tax attributes of the acquired corporation, including the right to carry forward net operating losses incurred and credits earned by the acquired corporation. Pursuant to IITA Section 405(a), any corporation that succeeds to the federal income tax attributes of another corporation under IRC Section 381(a) automatically succeeds to that corporation's IITA credit and net loss carryforwards.

c) Carryovers after partnership acquisitions. In the case of the acquisition of assets of a partnership by another partnership in a transaction in which the acquiring partnership is considered to be a continuation of the partnership from which the assets were acquired under the provisions of Section 708 of the Internal Revenue Code and any regulations promulgated under that Section, the acquiring partnership shall succeed to and take into account, as of the close of the day of distribution or transfer, all Article 2 credits and net losses under Section 207 of the partnership from which the assets were acquired. (IITA Section 405(b))

1) Under Treas. Reg. Section 1.708-1(b)(2)(i), if two or more partnerships merge into one partnership, the resulting partnership is deemed the continuation of one of the merged partnerships if the partners of that merged partnership own interests totaling more than 50% of the capital and profits of



## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

the resulting partnership. In this situation, the resulting partnership will succeed to the credits and net losses of the merged partnership that is deemed to continue, if any, but not to the credits and net losses of any other of the merged partnerships. Similarly, any net loss incurred by the resulting partnership may be carried back to offset income of the merged partnership, if any, that is deemed to continue, because the two partnerships are treated as a single, continuing entity.

2) Under Treas. Reg. Section 1.708-1(b)(2)(ii), if a partnership is divided into 2 or more partnerships, and the partners of one of the resulting partnerships owned an interest of more than 50% in the capital and profits of the divided partnership, that partnership is deemed to be a continuation of the divided partnership. In such cases, the partnership, if any, that is deemed to be the continuation of the divided partnership shall succeed to the credit and net loss carryforwards of the divided partnership, and the other partnerships will not succeed to any of such credit or net loss carryforwards. Also, any net losses incurred by the partnership that is deemed to be the continuation of the divided partnership may be carried back and deducted by the divided partnership.

d) Limitations on carryovers. IRC Section 382 and the separate return limitation year consolidated return regulations under IRC Section 1502 limit the net loss and credit carryforwards available to certain corporations after a change in ownership. IITA Section 405 expressly provides that no similar limitations apply to the carryforward of Illinois net losses and credits allowed under that Section.

e) Effective date and transition rule. Pursuant to IITA Section 405(c), the provisions of IITA Section 405 apply to all acquisitions occurring in taxable years ending on or after December 31, 1986. However, IITA Section 405(c)(1) provides that, if a taxpayer's Illinois income tax liability for any taxable year, as assessed under Section 903 prior to January 1, 1999, was computed without taking into account all of the Article 2 credits and net losses under Section 207 as allowed by this Section, no refund shall be payable to the taxpayer for that taxable year as the result of allowing any portion of such credits or net losses that were not taken into account in computing the tax assessed prior to January 1, 1999. However, IITA Section 405(c)(2) allows the taxpayer to use such credits and net losses to reduce any unpaid deficiency for those years. Further, IITA Section 405(c)(3) provides that any credit or net loss that, as a result of the operations of these provisions, could not be taken into account either in computing the tax assessed prior to January 1, 1999 for a taxable year or in reducing a deficiency for that taxable year under paragraph (2) of subsection (c), the allowance of such credit or loss in any other taxable year shall not be denied on the grounds that such credit or loss should properly have been claimed in that taxable year under subsection (a) or (b). The effect of these provisions is to preserve

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

the status quo with respect to taxes assessed prior to January 1, 1999, when the Department was asserting that carryforwards were limited pursuant to IRC Section 382, and to permit use of credit and net loss carry forwards against taxes proposed or assessed after that date without regard to any such limitations. The operation of these effective date and transition rules can be illustrated as follows:

Example 1: On December 31, 1994, Corporation X acquired the assets of Target Corporation in a reorganization described in IRC Section 368(a)(1)(C), which is a transaction described in IRC Section 381(a). As of the acquisition date, Target Corporation had net losses under IITA Section 207 of \$500 available to carry forward and research and development credits under IITA Section 201(k) of \$200 available to carry forward. In its taxable year ending December 31, 1995, Corporation X deducted all \$500 of the net losses of Target Corporation and claimed a credit for all \$200 of research and development credits of Target Corporation. The Department conducted an audit of Corporation X's 1995 return. At that time, the Department interpreted IITA Section 207 as incorporating the limitations on carryovers contained in IRC Section 382. Consistent with this interpretation of the IITA, the Department determined that Corporation X could deduct no more than \$100 per year of the net losses incurred by Target Corporation, and disallowed \$400 of the deduction claimed by Corporation X on its 1995 return. For the same reason, the Department also disallowed all \$200 of the research and development credits claimed by Corporation X on its 1995 return.

Corporation X paid the resulting deficiency in 1998, and immediately filed a claim for refund of the deficiency. The claim had not been granted as of August 13, 1999, the effective date of Public Act 91-541 that enacted IITA Section 405. No other adjustments to the Illinois income tax liability of Corporation X have occurred since it made the payment in 1998, and the refund claim has not been granted.

Analysis of Example 1: IITA Section 405(c)(1) prohibits Corporation X from receiving a refund of taxes assessed prior to January 1, 1999 as the result of the application of IRC Section 382 limitations to the net losses of Target Corporation or of the denial of the carryforward of the research and development credits of Target Corporation. Thus, even though Corporation X had timely filed a refund claim for the deficiency it paid with respect to 1995, the claim must be denied. However, IITA Section 405(c)(3) permits Corporation X to claim the \$400 in losses and \$200 in research and development credits disallowed under IITA Section 405(c)(1) in subsequent years, including 1996 and 1997. Again, IITA Section 405(c)(1) would prohibit a refund of any taxes reported on Corporation X's timely-filed returns for 1996 and 1997, because those taxes were assessed when the returns were filed prior to January 1, 1999. Accordingly, Corporation X may claim the \$400 net loss and the \$200 credit carryforwards for 1998, the first year for which claiming these items would not result in a refund barred under IITA Section 405(c)(1) without regard to IRC Section 382



## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

limitations. Such use is subject to all other statutes of limitations on the use of these items that apply.

Example 2: The facts are the same as in Example 1, except that Corporation X did not file a claim for refund of the 1995 deficiency. Instead, Corporation X acquiesced in the Department's position regarding IRC Section 382 limitations and claimed \$100 in net loss deductions in amended returns for 1996 and 1997. No other adjustments to tax of Corporation X have occurred since it made the payment in 1998.

Analysis of Example 2: With respect to the research and development credit earned by Target Corporation, the analysis is the same as in Example 1.

With respect to the net loss carryovers, if the refund claims for 1996 and 1997 have not been granted as of the effective date of Public Law 91-541, the analysis is the same as in Example 1. The claims for 1996 and 1997 must be disallowed pursuant to IITA Section 405(c)(1), but IITA Section 405(c)(3) allows the losses to be claimed for 1998.

If the refund claims were granted prior to the effective date of Public Law 91-541, the \$100 net loss deductions claimed in 1996 and 1997 remain valid, and Corporation X may claim the remaining \$200 in net losses in 1998, subject to all other limitations on the use of these losses.

Example 3: The facts are the same as in Example 2, except that in 2000, the Internal Revenue Service concludes an audit of Corporation X. Corporation X agrees to the audit determinations. As a result of those determinations, its Illinois net income for 1997 is increased by \$150. Pursuant to IITA Section 405(c)(2), Corporation X may use its pre-1995 net loss to offset the \$150 increase in its 1997 net income and, pursuant to IITA Section 405(c)(3), the remaining \$50 of net losses unused as of the end of 1997 may be used to offset income in 1998.

AGENCY NOTE: IITA Section 405(c)(3) does not reopen any statute of limitations that is otherwise closed. Accordingly, if the taxpayer in Example 1, 2 or 3 above fails to file a refund claim for any year before the statute of limitations for that year expires, the claim cannot be allowed despite the provisions of IITA Section 405(c)(3).

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART BB: DEFINITIONS

**Section 100.9750 Corporation, Subchapter S Corporation, Partnership and Trust Defined (IITA Section 1501)**

a) In general. IITA Section 102 provides that, except as otherwise expressly provided or clearly appearing from the context, any term used in the IITA shall have the same meaning as when used in a

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

comparable context in the United States Internal Revenue Code of 1954 or any successor law or laws relating to federal income taxes and other provisions of the statutes of the United States relating to federal income taxes as such Code, laws and statutes are in effect for the taxable year.

b) Corporations. The term "corporation" includes associations, joint stock companies, insurance companies and cooperatives. Any entity, including a limited liability company formed under the Illinois Limited Liability Company Act [805 ILCS 180], shall be treated as a corporation if it is so classified for federal income tax purposes. (IITA Section 1501(a)(4))

1) IRC Section 7701(a)(3) defines "corporation" to include associations, joint stock companies, and insurance companies. This definition is identical to the definition in IITA Section 1501(a)(4), except that the IITA definition includes cooperatives. Accordingly, any entity treated as a corporation for federal income tax purposes must be treated as a corporation for all purposes of the IITA, and no entity (other than a cooperative) that is not treated as a corporation for federal income tax purposes may be treated as a corporation for purposes of the IITA. Thus, any entity electing to be taxed as a corporation under Treas. Reg. Section 301.7701(a) is a corporation for all purposes of the IITA, and any entity that elects not to be treated as a corporation separate and distinct from its owners is not a corporation separate and distinct from its owners. For example:

A) An entity that has elected to be disregarded as an entity separate from its corporate owner pursuant to Treas. Reg. Section 301.7701-3(a) and its corporate owner are a single corporation for all purposes of the IITA.

B) An entity eligible to elect treatment as a corporation under Treas. Reg. Section 301.7701-3(a) is deemed to have elected to be treated as a corporation if it elects to be treated as a real estate investment trust (REIT) under IITA Section 856(c)(1). See Treas. Reg. Section 301.7701(c)(1)(v)(B). Pursuant to IRC Section 856(i), the separate existence of a qualified REIT subsidiary is ignored, and its assets, liabilities and other items are deemed to belong to the REIT that owns the subsidiary. Accordingly, a REIT and its qualified REIT subsidiaries are a single corporation for all purposes of the IITA.

2) An entity that, despite its uninterrupted existence, is treated as a new corporation for purposes of the Internal Revenue Code shall also be treated as a new corporation separate and distinct from its deemed predecessor, for all purposes of the IITA. For example:

A) An entity that has elected to be disregarded as an entity separate from its corporate owner pursuant to Treas. Reg.



## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

Section 301.7701-3(a), and subsequently elects to be taxed as a corporation, is treated under Treas. Reg. Section 301.7701-3(g)(1)(iv) as a new corporation to which the assets of the entity were transferred by the corporate owner in exchange for the stock of the new corporation. Accordingly, prior to the date of the subsequent election, the entity and its corporate owner are a single corporation for all purposes of the IITA, while after that election the two entities will be separate corporations.

B) A corporation that is treated as two separate corporations (as a corporation that has sold all of its assets and as a new corporation that has purchased all of the assets) pursuant to IRC Section 338 is similarly treated as two separate corporations, one in existence before the IRC Section 338 transaction and one in existence subsequent to the transaction, for all purposes of the IITA.

c) Subchapter S Corporations. The term "Subchapter S corporation" means a corporation for which there is in effect an election under Section 1362 of the Internal Revenue Code, or for which there is a federal election to opt out of the provisions of the Subchapter S Revision Act of 1982 and have applied instead the prior federal Subchapter S rules as in effect on July 1, 1982. (IITA Section 1501(a)(28))

1) Any corporation that has elected Subchapter S corporation status for federal income tax purposes is automatically a Subchapter S corporation for purposes of the IITA until its status as a Subchapter S corporation is terminated for federal income tax purposes. No separate election is required.

2) Under IRC Section 1361(b)(3), the separate existence of a "qualified Subchapter S subsidiary" is disregarded and the assets, liabilities and other items of the qualified Subchapter S subsidiary are attributed to the parent Subchapter S corporation. Accordingly, for all purposes of the IITA, a Subchapter S corporation and its qualified Subchapter S subsidiaries shall be treated as a single Subchapter S corporation.

d) Partnerships. The term "partnership" includes a syndicate, group, pool, joint venture or other unincorporated organization, through or by means of which any business, financial operation, or venture is carried on, and which is not, within the meaning of the IITA, a trust or estate or a corporation. (IITA Section 1501(a)(16))

1) IRC Section 761 provides that the term "partnership" includes a syndicate, group, pool, joint venture or other unincorporated organization through or by means of which any business, financial operation or venture is carried on, and which is not, within the meaning of this Title 26, a corporation or a trust or estate. This definition is essentially identical to the definition in (IITA Section 1501(a)(16)). Also, IITA Section 1501(a)(16) provides that any entity, including a limited liability company formed under the Illinois Limited Liability Company Act, shall be

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

treated as a partnership if it is so classified for federal income tax purposes. Accordingly, every entity treated as a partnership for federal income tax purposes is a partnership for purposes of the IITA, and no entity that is not treated as a partnership for federal income tax purposes is a partnership for purposes of the IITA. For example:

A) An entity that elects to be treated as a partnership for federal income tax purposes under Treas. Reg. Section 301.7701(a) is a partnership for all purposes of the IITA.

B) An entity that makes an election under IRC Section 761(a) to not be treated as a partnership is not a partnership for purposes of the IITA.

C) If a partnership is treated as a continuation of another partnership pursuant to Treas. Reg. Section 1.708-1(b)(2), those partnerships are a single, continuing partnership for all purposes of the IITA.

2) As amended by Public Act 91-913, IITA Section 1501(a)(16) provides that the term "partnership" does not include a syndicate, group, pool, joint venture or other unincorporated organization established for the sole purpose of playing the Illinois State Lottery. Accordingly, notwithstanding any other provisions of this Section, an entity established for the sole purpose of playing the Illinois State Lottery is not a partnership for purposes of the IITA.

3) Under IITA Section 1501(a)(16), any member of an entity treated as a partnership shall be treated as a partner. Accordingly, any reference in the IITA to a partner refers to the owners or members of any entity treated as a partnership.

e) Trusts. The term "trust" is not defined in the IITA. However, pursuant to IITA Section 102, any entity treated as a trust for federal income tax purposes under Treas. Reg. Section 301.7701-4 is a trust for all purposes of the IITA. An entity that has elected to be treated as part of an estate under IRC Section 645 is not a trust, but is part of the estate for all purposes of the IITA.

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: General Rules, Definitions
- 2) Code Citation: 92 Ill. Adm. Code 1000
- 3) Section Number: 1000.70  
Proposed Action: Amendment
- 4) Statutory Authority: Implementing Chapters 11, 2 and 3 of the Illinois Vehicle Code [625 ILCS 5/Ch. 11, 2 and 3] and authorized by Section 2-104(b) of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].
- 5) A Complete Description of the Subjects and Issues Involved: Recent legislation enhanced the retirement options for Department of Police sworn personnel. As a result, unexpected retirements will occur in the next 6 months. Given the fact that it takes over a year to place a qualified replacement in the field, there is a need to further streamline the hiring process. The Department must continue to meet its primary mission. This proposed amendment creates a process for promotion to Investigator Sergeant and will also streamline the process by which Investigator Trainees are hired and promoted to the position of Investigator. The hiring process becomes more equitable by relying solely on a numerical score, rather than a most cumbersome interview process. A probationary period is also included.

- 6) Will this proposed rulemaking replace an emergency rulemaking currently in effect? Yes

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this rulemaking contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This rulemaking will have no effect on units of local government.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: The Secretary of State will fully consider all comments received within 45 days of the date this notice is published. All comments must be in writing and should be sent to:

Robert W. Mueller  
Assistant General Counsel  
2701 South Dirksen Parkway  
Springfield IL 62723  
217-782-5356

- 12) Initial Regulatory Flexibility Analysis: After careful consideration, the

## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENT

Secretary of State feels this proposed rulemaking will have no effect on any types of small businesses.

- 13) Regulatory Agenda on which this rulemaking was Summarized: This rulemaking was not included on either of the two most recent regulatory agenda because: it was not anticipated at that time.

The full text of this Proposed Amendment begins on the next page.



## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENT

TITLE 92: TRANSPORTATION  
CHAPTER II: SECRETARY OF STATEPART 1000  
GENERAL RULES, DEFINITIONS

Section	Definitions
1000.10	Appointment of Subordinates
1000.20	Reciprocity, Prorate and Forced Registration Review Board (Repealed)
1000.30	Offices of the Secretary of State
1000.40	Forms
1000.50	Certification of Copies of Records
1000.60	Department of Police
1000.70	Enforcement of the Illinois Vehicle Code (Repealed)
1000.80	Hearings (Repealed)
1000.90	Audits and Collections (Repealed)
1000.110	Audit Costs
1000.120	

**AUTHORITY:** Implementing Chapters 11, 2 and 3 of the Illinois Vehicle Code [625 ILCS 5/Ch. 11, 2 and 3] and authorized by Section 2-104(b) of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].

**SOURCE:** Filed and effective December 15, 1970; amended at 6 Ill. Reg. 2239, effective February 1, 1982; emergency amendment at 6 Ill. Reg. 7152, effective May 28, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 11067, effective August 26, 1982; codified at 6 Ill. Reg. 12674; amended at 6 Ill. Reg. 15040, effective December 1, 1982; amended at 7 Ill. Reg. 13677, effective October 14, 1983; amended at 8 Ill. Reg. 5353, effective April 6, 1984; amended at 9 Ill. Reg. 2326, effective February 1, 1985; amended at 13 Ill. Reg. 5185, effective April 1, 1989; amended at 13 Ill. Reg. 11844, effective July 1, 1989; emergency amendment at 24 Ill. Reg. 1681, effective January 14, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 6950, effective April 24, 2000; emergency amendment at 25 Ill. Reg. 9376, effective July 1, 2001, for maximum of 150 days; amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 1000.70 Department of Police

- The investigators authorized pursuant to Section 2-115 of the Illinois Vehicle Code [625 ILCS 5/2-115] shall be appointed by the Secretary and organized into the Department of Police.
- The Department of Police, which is headquartered in Springfield, Illinois, shall have District headquarters throughout Illinois to enable the Department to best distribute its supervisory responsibilities and work load.
- The employees of the Department of Police shall be subject to the Secretary of State Merit Employment Code [15 ILCS 310]; the Office of

## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENT

the Secretary of State's rules entitled Department of Personnel (80 Ill. Adm. Code 420); and the Department of Police General Orders. Where there is conflict between the policies of the Office and the General Orders of Police, the Office policies shall prevail. All employees and applicants of the Department of Police shall be subject to a background check conducted by the Department of Police and an interview conducted by the Department of Police to determine if the applicant is qualified to perform the job duties.

## d) Sworn personnel

- Sworn personnel shall mean the peace officers within the Department of Police.
- The grades of sworn personnel, from lowest to highest, shall be Investigator Trainee, Investigator, Investigator Sergeant, Investigator Lieutenant, and Investigator Commander. Position descriptions for these employees shall be established by the Department of Personnel in accordance with Section 10a of the Secretary of State Merit Employment Code and 80 Ill. Adm. Code 420.210. ~~Sworn personnel shall be selected according to the following procedures:~~
  - Application and Testing Procedures for Investigators and Investigator Trainees. Any applicant for the position of Investigator or Investigator Trainee must complete or pass successfully each of the following application procedures before proceeding to the next procedure.
    - The filing of the standard personnel form application.
    - A written entrance examination developed for police officers with general testing areas including, but not limited to, mathematics, logic, reading comprehension, scoring the highest score among the potential applicants. ~~If two or more applicants have a tied score and have passed the other requirements for the position, selection of the candidate shall be by an interview conducted by the Department of Personnel.~~
      - A physical ability test, consistent with the physical ability standards set forth by the Illinois Police Officer Training and Standards Board (20 Ill. Adm. Code 1720.20-Appendix A) prior to the entrance into any of the Illinois certified basic police academies.
    - A background investigation conducted by the Department of Police to determine if the applicant has any criminal convictions and to verify that all information contained in the applicant's application is true and accurate.
    - A medical and a psychological examination using standard criteria.
    - An oral interview conducted by a panel of sworn officers of the Department in the grade of at least Investigator Sergeant to determine the applicant's qualifications and suitability for employment in the Department of Police.

## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENT

- 4B) Veterans preference points in accordance with 80 Ill. Adm. Code 420.300(c) will be given to persons who are honorably discharged from any armed force of the United States or any State National Guard.
- 5E) Each person newly hired into the Department as an Investigator Trainee shall have a 9 month training period (80 Ill. Adm. Code 420.320). Upon successful completion of the training period, that person shall be promoted to an Investigator position and shall serve a 3 months probationary period (80 Ill. Adm. Code 420.360).
- 6D) Applicants may submit their applications for consideration whenever a vacancy occurs.
- 7E) Each person newly hired into the Department as an Investigator shall have a 6 months probationary period as defined in 80 Ill. Adm. Code 420.130.
- 8J) Application and Testing Procedures for Investigator Sergeants. Any applicant for the position of Investigator Sergeant must complete or successfully pass the following application procedure:
- A) The filing of the standard personnel application form with the Department of Personnel with a copy to the Department of Police.
- B) A written examination for Investigator Sergeants.
- C) An oral interview conducted by a panel of command personnel appointed by the Director to determine the applicant's qualifications and suitability for promotion to the rank of Investigator Sergeant.
- 9J) For purposes of this subsection (d), the term "command personnel" shall include the Director, Chief Deputy Director, Deputy Directors and Administrators of the Personnel and Finance Management Section of the Department of Police.
- e) Miscellaneous provisions pertaining to the Department of Police
- 1) The Department of Police shall collect a storage fee in the amount of \$5 per day from any person or entity owning a vehicle which is stored on Secretary of State property for any reason. Such fees shall be deposited in the Road Fund.
  - 2) The Department of Police, to implement Section 3-308 of the Illinois Vehicle Code, shall operate inspection stations at various locations throughout Illinois as the workload of inspecting rebuilt and salvage vehicles requires.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Reports of Child Abuse and Neglect
- 2) Code Citation: 89 Ill. Adm. Code 300
- 3) Section Numbers: Adopted Action:  
APPENDIX B Amended
- 4) Statutory Authority: Abused and Neglected Child Reporting Act [325 ILCS 5] and Section 3 of the Consent by Minors to Medical Procedures Act [410 ILCS 210/3]
- 5) Effective Date of Amendments: October 1, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: March 2, 2001, 25 Ill. Reg. 3069
- 10) Has JCAR issued a Statement of Objections to this amendment? No
- 11) Differences between proposal and final version: The following changes were made to allegation categories that comprise Appendix B:  
  
In Allegation 10/69, Substantial Risk of Physical injury/Environment Injurious to Health and Welfare, the third circumstance beginning with "adult living in the home" was changed to "anyone living in the home". In the fifth circumstance listed "parent/caretaker exposes child to" was changed to "anyone in the home exposes child to". In the last circumstance, the word "renumerate" was replaced by "correct the conditions which led to". Under "factors to be considered" was added "All factors need not be present to justify taking the report. One factor may present sufficient danger to justify taking the report".  
  
In Allegation 17/67, Mental and Emotional Impairment, "with a specialty in mental illness" was deleted immediately after "registered nurse" and "professional employee of a community mental health agency" was replaced by "therapist or counselor employee of a community mental health agency".  
  
In Allegation 18, Sexually Transmitted Diseases, delete "Genital Candidiasis".  
  
In Allegation 21, Sexual Molestation, in the first sentence after







## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

Reg. 2419, effective March 1, 1989; emergency amendment at 14 Ill. Reg. 11356, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 17558, effective October 15, 1990; amended at 14 Ill. Reg. 19827, effective November 28, 1990; emergency amendment at 15 Ill. Reg. 14285, effective September 25, 1991; amended at 15 Ill. Reg. 17986, effective December 1, 1991; emergency amendment at 17 Ill. Reg. 15658, effective September 10, 1993, for a maximum of 150 days; emergency expired February 7, 1994; amended at 18 Ill. Reg. 8377, effective May 31, 1994; amended at 18 Ill. Reg. 8601, effective June 1, 1994; amended at 19 Ill. Reg. 3469, effective March 15, 1995; amended at 19 Ill. Reg. 10522, effective July 1, 1995; amended at 20 Ill. Reg. 10328, effective July 19, 1996; amended at 22 Ill. Reg. 18847, effective October 1, 1998; amended at 23 Ill. Reg. 13590, effective November 15, 1999; amended at 24 Ill. Reg. 7707, effective June 1, 2000; amended at 25 Ill. Reg. 12784, effective 7/1/01.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## Section 300.APPENDIX B Child Abuse and Neglect Allegations

This Appendix describes the specific incidents of harm which must be alleged to have been caused by the acts or omissions of the persons identified in Section 3 of the Abused and Neglected Child Reporting Act before the Department will accept a report of child abuse or neglect. The allegation definitions focus upon the harm or the risk of harm to the child. Many of the allegations of harm can be categorized as resulting from either abuse or neglect. All abuse allegations of harm are coded with a one or two digit number greater than 50. All neglect allegations of harm are coded with a two digit number under 50. In addition, each allegation is coded with a priority number. If the priority number ranges from the most serious level 1 to the least serious level 3. The allegations of harm with their assigned priority number in parentheses are defined as follows:

## ALLEGATION #

## DEFINITION

1/51

Death (Priority-1)

Permanent cessation of all vital functions.

The following definitions of death are also commonly used:

- Total irreversible cessation of cerebral function, spontaneous function of the respiratory system, and spontaneous function of the circulatory system.
- The final and irreversible cessation of perceptible heart beat and respiration.

Verification of death must come from a physician or coroner.

2/52

Brain-Damage/Skull-Fracture Head Injuries (Priority-1)Head Injury

As used in this Part, head injury means a serious head injury causing skull fracture, brain damage or bleeding on the brain, such as subdural hematoma or shaken baby syndrome. The following are considered head injuries:

Brain Damage

Brain damage means injury to the large, soft mass of nerve tissue contained within the cranium skull. Skull-fracture means a broken bone in the skull.

Skull Fracture

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## ALLEGATION #

## DEFINITION

Skull fracture means a broken bone of the skull.

Hematoma

Hematoma means a swelling or mass of blood (usually clotted) confined to an organ, tissue or space and caused by a break in a blood vessel.

Subdural Hematoma

Subdural means beneath the dura mater (the outer membrane covering the spinal cord and brain).

A subdural hematoma is located beneath the membrane covering the brain and is usually the result of head injuries or the shaking of a small child or infant. It may result in the loss of consciousness, seizures, mental or physical damage, or death.

Shaken Baby Syndrome (Whiplash Shaken Infant Syndrome (WSIS))

Shaking of an infant causes stretching and tearing of blood vessels in the brain causing subdural hematoma, bleeding in the brain and retinal hemorrhage.

Verification of head injuries brain--damage--or--skull fracture must come from a physician, preferably a neurosurgeon or radiologist.

3/53

Subdural Hematoma--(Priority-I)Hematoma

A swelling or mass of blood (usually clotted)--confined--to an--organ--tissue or space--and--caused--by--a--break--in--a--blood vessel.

Subdural

Beneath the dura mater--(the--outer--membrane--covering--the spinal cord and brain).

A--subdural--hematoma--is--located--beneath--the--membrane covering the brain--and--is--usually--the--result--of--head injuries or the shaking of a small child or infant--it may

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## ALLEGATION #

## DEFINITION

result--in--loss--of--consciousness,--seizures,--mental--or physical--damage--or--death.

Verification--of--subdural--hematoma--must--come--from--a physician.

4/54

Internal Injuries (Priority-I)

An internal injury is an injury which is not visible from the outside, e.g., an injury to the organs occupying the thoracic or abdominal cavities. Such injury may result from a direct blow or a penetrating injury. A person so injured may be pale, cold, perspiring freely, have an anxious expression, or may seem semicomatose. Pain is usually intense at first, and may continue or gradually diminish as patient grows worse.

Verification of internal injuries must come from a physician.

5/55

Burns/Scalding--(Priority-II)Burns

Tissue injury resulting from excessive exposure to thermal, chemical, electrical or radioactive agents. The effects vary according to the type, duration and intensity of the agent and the part of the body involved. Burns are usually classified as:

- First Degree (Partial Thickness)

Superficial burns, damage being limited to the outer layer of the epidermis (skin). Characterized by scorching Scorching or painful redness of the skin.

- Second Degree (Partial Thickness)

The damage extends through the outer layer of the skin into the inner layers (dermis). Blistering will be present within 24 hours.

- Third Degree (Full Thickness)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES		DEPARTMENT OF CHILDREN AND FAMILY SERVICES	
NOTICE OF ADOPTED AMENDMENTS		NOTICE OF ADOPTED AMENDMENTS	
ALLEGATION #	DEFINITION	ALLEGATION #	DEFINITION
6/56	<p>Burns in which both layers of the skin (epidermis and dermis) are is destroyed with damage extending into underlying tissues, which may be charred or coagulated.</p> <p>- Fourth Degree (Full Thickness)</p> <p>Burns extend beyond skin and underlying tissues into bone, joints and muscles.</p> <p>Scalding</p> <p>A burn to the skin or flesh caused by moist heat and hot vapors, as steam.</p> <p>All emersion burns (scalds) must be confirmed by a physician unless the alleged perpetrator has admitted to scalding the child.</p> <p>Poison/Noxious Substances (Priority-III)</p> <p>Poison</p> <p>Any substance, other than mood altering chemicals or alcohol, taken into the body by ingestion, inhalation, injection, or absorption that interferes with normal physiological functions. (Virtually any substance can be poisonous if consumed in sufficient quantity; therefore, the term poison more often implies an excessive amount rather than the existence of a specific substance a specific-group-of-substances.)</p> <p>Noxious</p> <p>Harmful, injurious, not wholesome.</p> <p>Verification must come from a physician or by a direct admission from the alleged perpetrator.</p> <p>Wounds (Priority-I)</p> <p>A gunshot or stabbing injury.</p> <p>Verification must come from a physician, a law enforcement officer or by a direct admission from the alleged perpetrator.</p>	9/59	<p>Bone Fractures (Priority-II)</p> <p>A fracture is a broken bone. There--are-ten-types-of fractures--the-most-common-being:</p> <p>Metaphyseal - Epiphyseal Fractures</p> <p>Fractures at the end of bones. They are commonly described as corner fractures, chipped fractures or bucket-handle fractures.</p> <p>Diaphyseal Fractures</p> <p>Diaphyseal fractures are located in the bone shaft. Fractures in the shaft of long bones of the extremities are spiral (oblique) or transverse. Spiral fracture is caused by twisting or rotational force. Transverse fracture results from a direct blow or bending force.</p> <p>Chip-Fracture</p> <p>A--small-piece-of-bone-is-flaked-from-the-major-part-of-the bone-</p> <p>Simple-Fracture</p> <p>The-bone-is-broken-but-there-is-no-external-wound-</p> <p>Complicated-Fractures</p> <p>Compound</p> <p>the-bone-is-broken-and-there-is-an-external--wound leading--down--to-the-site-of-fracture-or-fragments of-bone-protrude-through-the-skin-</p> <p>Comminuted</p> <p>the-bone-is-broken-or-splintered-into-pieces-</p> <p>Spiral</p> <p>Twisting--causes--the--line--of--the--fracture---to encircle-the-bone-in-the-form-of-a-spiral-</p> <p>Verification must come from a physician or radiologist.</p> <p>Substantial Risk of Physical Injury/ Environment Injurious to Health and Welfare</p>
7/57		10/60	



## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## ALLEGATION #

## DEFINITION

Substantial risk of physical injury means that the parent, caregiver, immediate family member aged 16 or over, other person residing in the home aged 16 or over, or the parent's paramour has created a real and significant danger of physical injury that would likely cause disfigurement, death, or impairment of physical health or loss or impairment of bodily functions (abuse). This allegation of harm is to be used when the type or extent of harm is undefined but the total circumstances lead a reasonable person to believe that the child is in substantial risk of physical injury. This allegation of harm also includes incidents of violence or intimidation directed toward the child that have not yet resulted in injury or impairment but that clearly threaten such injury or impairment (abuse) or placing a child in an environment that is injurious to the child's health and welfare (neglect).

Examples of incidents or circumstances that place the child in substantial risk of physical injury include, but are not limited to, the following:

Incidents of Maltreatment

- choking the child (abuse).
- smothering the child (abuse).
- pulling the child's hair out (abuse).
- violently pushing or shoving the child into fixed or heavy objects (abuse).
- throwing or shaking a smaller child (abuse).
- other violent or intimidating acts directed toward the child that cause excessive pain or fear (abuse).
- situations that place a child at substantial risk of harm due to environmental issues in the home (neglect).

Circumstances

- domestic violence in the home when the child has been threatened and the threat is believable, as evidenced by a past history of violence or uncontrolled behavior (neglect).
- a perpetrator of child abuse who has been court ordered to remain out of the home returns home and has access to the abused child (abuse).
- anyone living in the home has a documented history of violence toward children (abuse).

11/61

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## ALLEGATION #

## DEFINITION

- the circumstances surrounding the death of one child provides reason to believe that another child is at real and significant danger of physical injury (neglect).
- anyone in the home exposes child to environment that significantly affects the health and safety based on use, sale or manufacturing of illegal drugs or alcohol (neglect).
- parent's or caretaker's mental illness and behavior poses a significant danger to the child's health and safety (neglect). To indicate an allegation based on this factor, the investigator must rule out dependency as defined in the Juvenile Court Act as the presenting problem.
- parent has been adjudicated unfit by a court and the parent has not completed services that would correct the conditions which led to the court finding (abuse/neglect).

Factors to be Considered

Whether there is a real and significant danger to justify taking a report is determined by the following factors (All factors need not be present to justify taking the report. One factor alone may present sufficient danger to justify taking the report.):

- the child's age.
- the child's medical condition, behavioral, mental, or emotional problems, developmental disability, or physical handicap, particularly related to his or her ability to protect himself or herself.
- the severity of the occurrence.
- the frequency of the occurrence.
- the alleged perpetrator's physical, mental and/or emotional abilities, particularly related to his or her ability to control his or her actions.
- the dynamics of the relationship between the alleged perpetrator and the child.
- the alleged perpetrator's access to the child.
- the previous history of indicated abuse or neglect.
- the current stresses/crisis in the home.
- the presence of other supporting persons in the home.

Cuts, Bruises, and Welts, Abrasions  
and Oral Injuries (Priority-III)

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

ALLEGATION #	DEFINITION
Cut	An opening, incision or break in the skin made by some external agent.
Bruise	An injury that <u>which</u> results in bleeding <u>under within</u> the skin, where the skin is discolored but not broken. <u>Also referred to as a contusion.</u>
	Welt
	An elevation on the skin produced by a lash, blow, or allergic stimulus. The skin is not broken and the mark is reversible.
	<u>Abrasion</u>
	<u>A scraping away of the skin.</u>
	<u>Oral Injuries</u>
	<u>Injuries to the child's mouth, including broken teeth.</u>
	Factors to be Considered
	Not every cut, bruise, or welt constitutes an allegation of harm. The following factors should be considered when determining whether an injury which resulted in cuts, bruises or welts constitute an allegation of harm:
	- the child's age (children aged 6 and under are at a much greater risk of harm).
	- child's medical condition, behavioral, mental, or emotional problems, developmental disability, or physical handicap, particularly as they relate to the child's ability to <u>seek help protect--himself--or herself.</u>
	- pattern or chronicity of similar incidents.
	- severity of the cuts, bruises, <u>or welts, or abrasions</u> (size, number, depth, extent of discoloration).
	- location of the cuts, bruises, <u>or welts, or abrasions.</u>
	- whether an instrument was used on the child.
	- previous history of indicated abuse or neglect.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

ALLEGATION #	DEFINITION
12/62	Human Bites <del>{Priority-II}</del>
	A bruise, cut or indentation in the skin caused by seizing, piercing, or cutting the skin with human teeth.
13/63	Sprains/Dislocations <del>{Priority-II}</del>
	Sprain
	Trauma to a joint <u>that which</u> causes pain and disability depending upon the degree of injury to ligaments <u>and/or surrounding muscle tissue.</u> In a severe sprain, ligaments <u>and/or muscle tissue</u> may be completely torn. The signs are rapid swelling, heat and disability, often discoloration and limitation of function.
	Dislocation
	The displacement of any part, especially the temporary displacement of a bone from its normal position in a joint. Types include:
	Complicated
	A dislocation associated with other major injuries.
	Compound
	Dislocation in which the joint is exposed to the external air.
	Closed
	A simple dislocation.
	Complete
	A dislocation which completely separates the surfaces of a joint.
	Verification must come from a physician, registered nurse, licensed practical nurse or by a direct admission from the alleged perpetrator.
14	Tying/Close Confinement <del>{Priority-II}</del>
	Unreasonable restriction of a child's mobility, actions or physical functioning by tying the child to a fixed (or heavy) object, tying limbs together or forcing the child to remain in a closely confined area which restricts physical movement. Examples include, but are not limited to:
	- locking a child in a closet or <u>small room.</u>

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## ALLEGATION #

## DEFINITION

- tying one or more limbs to a bed, chair, or other object, except as authorized by a licensed physician.
- tying a child's hands behind his or her back.
- putting a child in a cage.

15/65

## Substance Misuse (Priority-III)

## Option A

The consumption of a mood altering chemical capable of intoxication to the extent that it harmfully affects the child's health, behavior, motor coordination, judgment, or intellectual capability. Mood altering chemicals include cannabis (marijuana), hallucinogens, stimulants (including cocaine), sedatives (including alcohol and Valium), narcotics, or inhalants (abuse/neglect). Abuse occurs if the parent provides the substance to the child. Neglect occurs if the parent allows the use or fails to protect the child from consumption.

## Option B

Fetal alcohol syndrome or drug withdrawal at birth caused by the mother's addiction to drugs is included in this definition and is considered child neglect (neglect). ~~Also included is~~

## Option C

Any amount of a controlled substance or a metabolite thereof, found in the blood, urine or meconium (newborn's first stool) of a newborn infant. A controlled substance is defined in subsection (f) of Section 102 of the Illinois Controlled Substances Act [720 ILCS 570/102] (neglect). The presence of such substances shall not be considered as child neglect if the presence is due to medical treatment of the mother or infant.

NOTE: Methadone withdrawal or other withdrawal verified as under the auspices of a drug treatment program is not included under drug withdrawal at birth.

Examples of substance misuse include, but are not limited to:

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## ALLEGATION #

## DEFINITION

- giving a minor (unless prescribed by a physician) any amount of heroin, cocaine, morphine, peyote, LSD, PCP, pentazocine, or methaqualone or encouraging, insisting, or permitting a minor's consumption of the above substances.
- giving any mood altering substance, including alcohol or sedatives, unless prescribed by a physician, to an infant or toddler.
- encouraging, insisting or permitting a child who has not reached puberty to consume alcohol, drugs, or another mood altering substance on a regular or frequent basis.
- encouraging, insisting or permitting an adolescent to consume alcohol, drugs, or another mood altering substance on a daily basis.
- encouraging, insisting or permitting any minor to become intoxicated by alcohol, drugs, or another mood altering substance even if on an infrequent basis.

## Factors to be Considered

The following factors should be considered when determining whether a child is involved in substance misuse:

- age of the child.
- frequency of substance misuse.
- amount of substance consumption.
- whether the substance is illegal for general population use.
- degree of behavioral dysfunction, or physical impairment linked to substance misuse.
- the child's culture, particularly as it relates to use of alcohol in religious ceremonies or on special occasions.
- whether the parent or caregiver's attempts to control an older child's substance misuse or to seek help for the child's substance misuse were reasonable under the circumstances.
- whether the parent or caregiver knew or should have known of the child's substance misuse.

16

## Torture (Priority-I)

Inflicting or subjecting the child to intense physical and/or mental pain, suffering, or agony that is severe, repetitive, increased, or prolonged. ~~Deliberately and/or~~



## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## ALLEGATION #

## DEFINITION

systematically-inflicting-unusual-or-cruel-treatment--which results-in-physical-or-mental-suffering.

17/67

Mental Injury and Emotional Impairment (Priority-II)

Injury to the intellectual, emotional or psychological development of a child as evidenced by observable and substantial impairment in the child's ability to function within a normal range of performance and behavior, with due regard to his or her culture.

Verification that a child has been mentally injured must come from a medical doctor, psychiatrist, registered psychologist, certified social worker, registered nurse or a therapist or counselor of a community mental health agency.

18

Sexually Transmitted Diseases (Priority-II)

A disease which was acquired originally as a result of sexual penetration or sexual conduct with an individual who is afflicted with the disease. The diseases may include, but are not limited to:

- Acquired Immune Deficiency Syndrome (AIDS)
- Balanoposthitis
- Calymmatobacterium Granulomatis
- Chancroid
- Chlamydia Trachomatis
- Genital Herpes
- Genital Warts
- Gonorrhea
- Granuloma Inguinale
- Haemophilus Ducreyi
- HIV Infection
- Lymphogranuloma Venereum
- Neisseria Gonorrhea
- Nonspecific Urethritis
- Proctitis
- Syphilis
- Chancroid
- Genital-Candidiasis
- Lymphogranuloma-Venereum
- Granuloma--Inguinale
- Genital-Herpes
- Genital-Warts

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## ALLEGATION #

## DEFINITION

- Balanoposthitis
- Proctitis
- Neisseria-Gonorrhea
- Chlamydia-Trachomatis
- Treponema Pallidum
- Haemophilus--Ducreyi
- Calymmatobacterium-Granulomatis
- Trichomonas Vaginalis (Symptomatic)
- AIDS

Sexual penetration is defined in the Illinois Criminal Sexual Assault Act as "any contact, however slight, between the sex organ or anus of one person by an object, the sex organ, mouth or anus of another person, or any intrusion, however slight, of any part of the body of one person or any animal or object into the sex organ or anus of another person, including but not limited to cunnilingus, fellatio or anal penetration."

Sexual conduct is defined in the Act as "any intentional or knowing touching or fondling of the victim or the perpetrator, either directly or through clothing of the sex organs, anus or breast of the victim or the accused, or any part of the body of a child...for the purpose of sexual gratification or arousal of the victim or the accused."

Verification of sexually transmitted diseases must come from a medical source.

19

Sexual Penetration (Priority-II)

Any contact, however slight, between the sex organ or anus of one person by an object, the sex organ, mouth or anus of another person, or any intrusion, however slight, of any part of the body of one person or any animal or object into the sex organ or anus of another person. This includes acts commonly known as oral sex (cunnilingus, fellatio), anal penetration, coition, coitus, and copulation.

20

Sexual Exploitation (Priority-II)

Sexual use of a child for sexual arousal, gratification, advantage, or profit. This includes but is not limited to:

- indecent solicitation of a child/explicit verbal enticement.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

ALLEGATION #

DEFINITION

- child pornography.
- exposing sexual organs to a child for the purpose of sexual arousal or gratification.
- forcing the child to watch sexual acts.
- self-masturbation in the child's presence.

NOTE: Sexual penetration and molestation are excluded from this allegation. They are listed as separate allegations.

Sexual Molestation (Priority-I)

Sexual conduct with a child when such contact, touching or interaction is used for arousal or gratification of sexual needs or desires. Parts of the body, as used in the examples below, refer to the parts of the body described in the definition of sexual conduct found in the Illinois Criminal Sexual Assault Act [720 ILCS 5/12-12] as quoted above under Allegation 18, Sexually Transmitted Diseases. Examples include, but are not limited to:

- fondling.
- the alleged perpetrator inappropriately touching or pinching parts of the child's body generally associated with sexual activity.
- encouraging, forcing, or permitting the child to inappropriately touch parts of the alleged perpetrator's body normally generally associated with sexual activity.

Substantial Risk of Sexual Injury  
Substantial-Risk-of-Physical-Injury (Priority-III)

Substantial risk of sexual injury means that the parent, caregiver, immediate family member, other person residing in the home, or the parent's paramour has created a real and significant danger of sexual abuse, in that:

Option A

An indicated, registered, or convicted sex offender has significant access to children, and the extent/quality of supervision during contact is unknown or suspected to be deficient.

Option B

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

ALLEGATION #

DEFINITION

There are siblings or other children in the same household as the alleged offender of a current allegation of sexual abuse.

Option C

Persistent, highly sexualized behavior or knowledge in a very young child (e.g., under the age of five chronologically or developmentally) that is grossly age inappropriate, and there is reasonable cause to believe that the most likely manner in which this behavior or knowledge was learned is in having been sexually abused.

Note: When accepting a report based on behavioral indicators, State Central Register staff must inform the reporter that the report cannot be indicated unless the victim makes a statement regarding specific sexual abuse or a forensic evaluation or independent consultation results in a clinical finding of sexual abuse.

Substantial--risk-of-physical-injury means--that--the--parent7 caregiver,--immediate--family--member--aged--16--or--over7--other person--residing--in--the--home--aged--16--or--over7--or--the parent's--paramour--has--created--a--real--and--significant--danger of--physical--injury--or--sexual--abuse--to--the--child.

This--allegation--of--harm--is--to--be--used--when--the--type--or extent--of--harm--is--undefined--but--the--total--circumstances lead--a--reasonable--person--to--believe--that--the--child--is--in substantial--risk--of--physical--injury--or--sexual--abuse.

This--allegation--of--harm--also--includes--incidents--of--violence or--intimidation--directed--toward--the--child--which--have--not yet--resulted--in--injury--or--impairment--but--which--clearly threaten--such--injury--or--impairment.

Examples--of--incidents--or--circumstances--which--place--the child--in--substantial--risk--of--physical--injury--include7--but are--not--limited--to7--the--following:

Incidents

- choking--the--child.
- smothering--the--child.
- pulling--the--child's--hair--out.
- violently--pushing--or--shoving--the--child--into--fixed--or heavy--objects.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

ALLEGATION #

DEFINITION

- throwing-or-shaking-a-smaller-child-
- other-violent-or-intimidating-acts-directed-toward--the-child-which-cause-excessive-pain-or-fear-

Circumstances

- domestic--violence--in-the-home-when-the-child-has-been-threatened-and-the-threat-is-believable--as--evidenced-by--a--past--history--of--violence--or--uncontrolled-behavior-
- a-perpetrator-of-child-abuse-who-has--been--ordered--to-remain--out--of-the-home--returns-home-and-has-access-to-the-abused-child--
- the-non-accidental-death-of-one-child--provides--reason-to-believe-that-another-child-is-at-risk-
- past--sexual--abuse--when--confirmed--by--the--victim--provides--reason--to--believe--that-another-child-is-at-risk-

Factors-to-be-Considered

Whether--there--is--a--real--and--significant---danger---is-determined-by-the-following-factors:

- the--child's--age--(children--aged-6-and-under-are-at-a-much-greater-risk-of-harm)-
- the-child's-medical-condition--behavioral--mental--or-emotional---problems--developmental---disability--or-physical-handicap--particularly-related-to-his--or--her-ability-to-protect-himself-or-herself-
- the-severity-of-the-occurrence-
- the-frequency-of-the-occurrence-
- the---alleged--perpetrator's--physical--mental--and/or-emotional-abilities--particularly-related-to-his-or-her-ability-to-control-his-or-her-actions-
- the-dynamics-of-the-relationship-between-the-alleged-perpetrator-and-the-child-
- the-alleged-perpetrator's-access-to-the-child-
- the-previous-history-of-indicated-abuse-or-neglect-
- the-current-stresses/crisis-in-the-home-
- the-presence-of-other-supporting-persons-in-the-home-

Inadequate Supervision {Priority-#}

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

DEFINITION

The child has been placed in a situation or circumstances that which are likely to require judgment or actions greater than the child's level of maturity, physical condition, and/or mental abilities would reasonably dictate. *A child shall not be considered neglected for the sole reason that the child's parent or other person responsible for his or her welfare has left the child in the care of an adult relative for any period of time [325 ILCS 5/3].* Examples include, but are not limited to:

- leaving children alone when they are too young to care for themselves.
- leaving children alone who have a condition that requires close supervision. Such conditions may include medical conditions, behavioral, mental, or emotional problems, or developmental or physical disabilities.
- leaving children in the care of an inadequate or inappropriate caregiver.
- being present but unable to supervise because of the caregiver's condition (This includes (1) the parent or caregiver who repeatedly uses drugs or alcohol to the extent that it has the effect of producing a substantial state of stupor, unconsciousness, intoxication or irrationality and (2) the parent or caregiver who cannot adequately supervise the child because of his or her medical condition, behavioral, mental, or emotional problems, or a developmental or physical disability).
- leaving children unattended in a place that which is unsafe for them when their maturity, physical condition, and mental abilities are considered.

Factors to be Considered

The following factors should be considered when determining whether a child is inadequately supervised.

Child Factors

- child's age and developmental stage, particularly related to the ability to make sound judgments in the event of an emergency.
- child's physical condition, particularly related to the child's ability to care for or protect himself or herself. Is the child physically or mentally



## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## ALLEGATION #

## DEFINITION

- handicapped, or otherwise in need of ongoing prescribed medical treatment such as periodic doses of insulin or other medications?
- child's mental abilities, particularly as related to the ability to comprehend the situation.
  - ~~was--the--child's--movement--restricted--or--was--the--child otherwise--locked--within--a--room--or--other--structure?~~

## Caregiver Factors

- presence or accessibility of caregiver.
- o How long does it take the caregiver to reach the child?
- o Can the caregiver see and hear the child?
- o Is the caregiver accessible by telephone?
- o Has the child been given phone numbers to call in the event of an emergency?
- caregiver's capability age.

- o Is the caregiver mature enough to assume responsibility for the situation?
- o Does the caregiver depend on extraordinary assistance to care for self and the child, i.e., meal preparation, laundry, grocery shopping, transportation? Is the caregiver without consistent or reliable assistance?
- o Is the child assuming primary caregiving duties, i.e., meal preparation, laundry, grocery shopping, transportation?

- caregiver's physical and mental condition.

- o Is the caregiver physically able to care for the child? Do the caregiver's own health needs present serious obstacles to the care and well-being of the child? ~~is--the--caregiver--able--to--make--appropriate judgments--on--the--child's--behalf?~~

- caregiver's cognitive and emotional condition.

- o Is the caregiver able to make appropriate judgments on the child's behalf?
- o Do the caregiver's own health needs present serious obstacles to the care and well-being of the child?

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## ALLEGATION #

## DEFINITION

## Incident Factors

- frequency of occurrence.
- duration of the occurrence (as related to the "child factors" above).
- time of the day or night when the incident occurs.
- child's location (the condition and location of the place where the minor was left without supervision).
- the weather conditions, including whether the minor was left in a location with adequate protection from the natural elements such as adequate heat or light.
- other supporting persons who are overseeing the child. (Was the child given a phone number of a person or location to call in the event of an emergency and whether the child was capable of making an emergency call?)
- whether food and other provisions were left for the child.
- other factors that may endanger the health and safety of the child.

75

Abandonment/Desertion (~~Priority-II~~)

## Abandonment

Abandonment is parental conduct which demonstrates the purpose of relinquishing all parental rights and claims to the child. Abandonment is also defined as any parental conduct which evinces a settled purpose to forego all parental duties and relinquish all parental claims to the child.

## Desertion

Desertion is any conduct on the part of a parent that indicates an intention to terminate custody of the child but not to relinquish all duties to and claims on the child.

Examples of abandonment/desertion include, but are not limited to, parents who:

- leave a baby on a doorstep.
- leave a baby in a garbage can.
- leave a child with no apparent intention to return.

ALLEGATION #	DEFINITION	ALLEGATION #	DEFINITION
76	<p><del>Desertion is any conduct on the part of a parent which indicates an intention to terminate custody of the child but not to relinquish all duties to and claims on the child. Desertion includes leaving a child with no apparent intention to return unless the child has been left in the care of a relative.</del></p> <p><b>Desertion</b></p> <p><b>Inadequate Food {Priority-III}</b></p> <p>Lack of food adequate to sustain normal functioning. It is not as severe as Malnutrition or Failure to Thrive, both of which require a medical diagnosis.</p> <p>Examples include:</p> <ul style="list-style-type: none"><li>- the child who frequently and repeatedly misses meals or who is frequently and repeatedly fed insufficient amounts of food.</li><li>- the child who frequently and repeatedly asks neighbors for food and other information substantiates that the child is not being fed.</li><li>- the child who is frequently and repeatedly fed unwholesome foods when his age, developmental stage, and physical condition are considered.</li></ul> <p>Factors to be Considered</p> <p>Child Factors</p> <ul style="list-style-type: none"><li>- child's age.</li><li>- child's developmental stage.</li><li>- child's physical condition, particularly related to the need for a special diet.</li><li>- child's mental abilities, particularly related to his ability to obtain and prepare his own food.</li></ul> <p>Incident Factors</p> <ul style="list-style-type: none"><li>- frequency of the occurrence.</li><li>- duration of the occurrence.</li></ul>	77	<p><b>Inadequate Shelter {Priority-III}</b></p> <p>Lack of shelter that <u>which</u> is safe and <u>that which</u> protects the <u>children child{ren}</u> from the elements.</p> <p>Examples of inadequate shelter include, but are not limited to:</p> <ul style="list-style-type: none"><li>- no housing or shelter.</li><li>- condemned housing.</li><li>- exposed, frayed wiring.</li><li>- housing with structural defects <u>that which</u> endanger the health or safety of a child.</li><li>- housing with indoor temperatures consistently below 50° F.</li><li>- housing with broken windows in sub-zero weather.</li><li>- housing <u>that which</u> is a fire hazard obvious to the reasonable person.</li><li>- housing with an unsafe heat source <u>that which</u> poses a fire hazard or threat of asphyxiation.</li></ul> <p>Factors to be Considered</p> <p>Child Factors</p> <ul style="list-style-type: none"><li>- child's age.</li><li>- child's developmental stage.</li><li>- child's physical condition, particularly when it may be aggravated by the inadequate shelter.</li><li>- child's mental abilities, particularly related to the child's ability to comprehend the dangers posed by the inadequate shelter.</li></ul> <p>Shelter Factors</p> <ul style="list-style-type: none"><li>- seriousness of the problem.</li><li>- frequency of the problem.</li><li>- duration of the problem.</li><li>- pattern or chronicity of the problem.</li><li>- previous history of shelter-related problems.</li></ul> <p><b>Inadequate Clothing {Priority-III}</b></p>
78			

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

ALLEGATION #

DEFINITION

Lack of appropriate clothing to protect the child from the elements.

Factors to be Considered

Child Factors

- child's age.
- child's developmental stage.
- child's physical condition, particularly related to conditions that which may be aggravated by exposure to the elements.
- child's mental abilities, particularly related to his or her ability to obtain appropriate clothing.

Incident Factors

- frequency of the incident.
- duration of the incident.
- chronicity or pattern of similar incidents.
- weather conditions such as extreme heat or extreme cold.

Medical Neglect (Priority-III)

Medical or Dental Treatment

Lack of medical or dental treatment for a health problem or condition that which, if untreated, could become severe enough to constitute a serious or long-term harm to the child; lack of follow-through on a prescribed treatment plan for a condition that which could become serious enough to constitute serious or long-term harm to the child if the plan goes unimplemented.

Immunizations

Back-of-immunizations-required-by---Section-1--of---the Communicable-Disease-Prevention-Act-(410-15ES-315)-which states:

It-is-declared-to-be-the-public-policy-of-this-State that-all-children-shall-be-protected,--as-soon--after birth---as---medically---indicated,--by--the--appropriate vaccines---and---immunizing---procedures---to---prevent communicable-diseases-which-are-or-which-may--in--the

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED AMENDMENTS

ALLEGATION #

DEFINITION

future-become-preventable-by-immunization.

The--Department--of--Public--Health--has--specified--that--the following-immunizations--are--required--unless--there--is--a medical--or--religious--reason--why--these-immunizations--should not--be--administered:---The--judgment--of---the---family's physician--with--regard--to--whether--there--is--a-medical--reason why--immunization--should--not--be--administered--shall--be respected.

- Diphtheria
- Pertussis
- Tetanus
- Poliomyelitis
- Measles
- Rubella
- Mumps

The-investigative-worker-shall-give-the-parents-30-days--to begin-the-required-immunization-series.

Factors to be Considered

- child's age, particularly as it relates to the ability to obtain treatment.
- child's developmental stage.
- child's physical condition.
- seriousness of the current health problem.
- probable outcome if the current health problem is not treated and the seriousness of that outcome.
- generally accepted medical benefits of the prescribed treatment.
- generally recognized side effects/harms associated with the prescribed treatment.

It must be verified that the child has/had an untreated health problem, or that a prescribed treatment plan was implemented,or-that-the-child-has-not-started-to--receive immunizations--required-by--State-law--within--the-30-day period. Such verification must come from a physician, registered nurse, dentist, or by a direct admission from the alleged perpetrator. It must further be verified by a physician, registered nurse or dentist that the problem or condition, if untreated, could result in serious or long-term harm to the child.



## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## ALLEGATION #

## DEFINITION

81

Failure to Thrive {~~Priority-I~~} (Non-Organic)

A serious medical condition most often seen in children under one year of age. The child's weight, height and motor development fall significantly short of the average growth rates of normal children (i.e., below the fifth percentile). In about 10% of these cases, there is an organic cause such as a serious kidney, heart, or intestinal disease, a genetic error of metabolism or brain damage. All other cases are a result of a disturbed parent-child relationship manifested in severe physical and emotional neglect of the child. Non-organic failure to thrive requires a medical diagnosis before it may be indicated.

Verification of failure to thrive must come from a physician.

82

Environmental Neglect {~~Priority-III~~}

The child's person, clothing, or living conditions are unsanitary to the point that the child's health may be impaired. This may include infestations of rodents, spiders, insects, snakes, etc., human or animal feces, rotten or spoiled food or rotten or spoiled garbage that which the child can reach.

## Factors to be Considered

Special attention should be paid to the child's physical condition and the living conditions in the home in order to determine whether the report constitutes an allegation of harm. In addition, the following factors should be considered.

## Child Factors

- child's age (children aged 6 and under are more likely to be harmed).
- child's developmental stage.
- child's physical condition.
- child's mental abilities.

## Incident Factors

- severity of the conditions.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## ALLEGATION #

## DEFINITION

83

Malnutrition {~~Priority-I~~} (Non-Organic)

- frequency of the conditions.
- duration of the conditions.
- chronicity or pattern of similar conditions.

Lack of necessary or proper food substances in the body caused by inadequate food, lack of food, or insufficient amounts of vitamin or minerals. (Also known as marasmus or kwashiorkor.) Non-organic malnutrition requires a medical diagnosis before it may be indicated. There are various physical signs of malnutrition:

- a decrease in lean body mass or fat; very prominent ribs; the child may often be referred to as skin and bones.
- the hair is often sparse, thin, dry, and is easily pulled out or falls out spontaneously.
- the child is often pale and suffers from anemia.
- excessive perspiration, especially about the head.
- the face appears lined and aged, often with a pinched and sharp appearance.
- the skin has an old, wrinkled look with poor turgor. (Classically, skin folds hang loose on the inner thigh and buttock.)
- the abdomen is often protuberant.
- there are abnormal pulses, blood pressure, stool patterns, intercurrent infections, abnormal sleep patterns and a decreased level of physical and mental activity.

Verification of malnutrition must come from a physician.

84

Lock-Out {~~Priority-III~~}

The parent or caregiver has denied the child access to the home and has refused or failed to make provisions for another living arrangement for the child.

85

Medical Neglect of Disabled Infants {~~Priority-I~~}

The withholding of appropriate nutrition, hydration, medication or other medically indicated treatment from a disabled infant with a life-threatening condition. Medically indicated treatment includes medical care that

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## ALLEGATION \*

## DEFINITION

which is most likely to relieve or correct all life-threatening conditions and evaluations or consultations necessary to assure that sufficient information has been gathered to make informed medical decisions. Nutrition, hydration, and medication, as appropriate for the infant's needs, is medically indicated for all disabled infants. Other types of treatment are not medically indicated when:

- the infant is chronically and irreversibly comatose.
- the provision of the treatment would be futile and would merely prolong dying.
- the provision of the treatment would be virtually futile and the treatment itself would be inhumane under the circumstances.

In determining whether treatment will be medically indicated, reasonable medical judgments, such as those made by a prudent physician knowledgeable about the case and its treatment possibilities, will be respected. However, opinions about the infant's future "quality of life" are not to bear on whether a treatment is judged to be medically indicated.

## Factors to be Considered

- infant's physical condition.
- seriousness of the current health problem.
- probable medical outcome if the current health problem is not treated and the seriousness of that outcome.
- generally accepted medical benefits of the prescribed treatment.
- generally recognized side effects associated with the prescribed treatment.
- the opinions of the Infant Care Review Committee (ICRC) (if the hospital has an ICRC).
- the judgment of the Perinatal Coordinator regarding whether treatment is medically indicated and whether there is credible evidence of medical neglect.
- the parent's knowledge and understanding of the treatment and the probable medical outcome.

Verification that treatment was medically indicated must come from a physician and may come from experts in the field of neonatal pediatrics.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## NOTICE OF ADOPTED AMENDMENTS

127813

effective

Reg.

Ill.

25

Amended

06/1/2000

## DEPARTMENT OF THE LOTTERY

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Lottery (General)
- 2) Code Citation: 11 Ill. Adm. Code 1770
- 3) Section Numbers: Adopted Action:  
1770.180 Amended  
1770.200 Amended
- 4) Statutory Authority: Implementing Sections 7.1 and 7.2, and authorized by Section 7.1, of the Illinois Lottery Law [20 ILCS 1605/7.1 and 7.2] and Executive Order 86-2, effective July 1, 1986.
- 5) Effective Date of Amendments: September 28, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

- 9) Notice of Proposal Published in Illinois Register: June 15, 2001, 25 Ill. Reg. 7435

- 10) Has JCAR issued a Statement of Objection to these amendments? No

- 11) Differences between proposal and final version: There are no differences between the proposed amendment and the adopted amendment.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? There were no agreed upon changes to the amendment.

- 13) Will these amendments replace any emergency amendments currently in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Amendments: A common method of selecting the winners in a Lottery promotional drawing is by random drawing from entry forms or tickets. Section 1770.180 is amended to more accurately reflect this selection method. The Section is further amended to change "door" prizes to "incidental or participation" prizes, as the latter terms are more appropriate to the Lottery's activities.

The language of Section 1770.200(a), concerning the Director's option to contractually prohibit certain vendors from playing the Lottery, was

## DEPARTMENT OF THE LOTTERY

## NOTICE OF ADOPTED AMENDMENTS

previously incomplete. The amendment completes the provision.

- 16) Information and questions regarding these adopted amendments should be directed to:

Lisa A. Crites, Rules Coordinator  
Illinois Department of the Lottery  
201 East Madison Street  
Springfield, Illinois 62702  
217/524-5253 (phone)  
217/524-5250 (TDD)  
217/524-5235 (fax)

The full text of the adopted amendments begins on the next page:



## DEPARTMENT OF THE LOTTERY

## NOTICE OF ADOPTED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY  
SUBTITLE C: LOTTERY

## CHAPTER II: DEPARTMENT OF THE LOTTERY

## PART 1770

## LOTTERY (GENERAL)

Section	
1770.10	Definitions
1770.20	Selection of Lottery Sales Agents; License Application and Fee; On-Line Status
1770.30	Special Licenses
1770.40	License Revocation Without Prior Notice
1770.50	License Revocation, Suspension, Non-Renewal or Denial With Prior Notice
1770.60	Conditions of Licensing
1770.70	License to be Displayed
1770.80	Change of Name, Ownership, or Form of Business Organization
1770.90	Delinquent Financial Obligations
1770.100	Bonding of Agents
1770.110	License Expiration and Renewal
1770.120	Agent Financial Adjustments
1770.130	Lost, Stolen, and Damaged Winning Tickets and other Discrepancies
1770.140	Sales by Department Directly
1770.150	Sales, Inspection, Compensation, and Ticket Purchases
1770.160	Lottery Tickets
1770.170	Lottery Games
1770.180	Drawings
1770.190	Prize Payment, Claiming of Prizes and Transfers to Common School Fund
1770.200	Eligibility to Buy
1770.210	Sale of Promotional Items
1770.220	Priority of Rules

AUTHORITY: Implementing and authorized by Sections 7.1 and 7.2 of the Illinois Lottery Law [20 ILCS 1605/7.1 and 7.2] and Executive Order 86-2, effective July 1, 1986.

SOURCE: Filed by the Lottery Control Board July 11, 1974; amended at 2 Ill. Reg. 17, p. 130, effective April 1, 1978; amended at 4 Ill. Reg. 15, p. 201, effective March 30, 1980; codified as 11 Ill. Adm. Code 1670 at 5 Ill. Reg. 10713; transferred from 11 Ill. Adm. Code 1670 (Lottery Control Board) to 11 Ill. Adm. Code 1770 (Department of the Lottery) pursuant to Executive Order 86-2, effective July 1, 1986, at 11 Ill. Reg. 1582; Part repealed, new Part adopted at 13 Ill. Reg. 7908, effective May 16, 1989; amended at 17 Ill. Reg. 18816, effective October 19, 1993; amended at 18 Ill. Reg. 13439, effective August 23, 1994; amended at 19 Ill. Reg. 6810, effective May 8, 1995; amended at 20 Ill. Reg. 15039, effective November 6, 1996; emergency amendment at 22

## DEPARTMENT OF THE LOTTERY

## NOTICE OF ADOPTED AMENDMENTS

Ill. Reg. 1964, effective January 15, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 9307, effective May 15, 1998; amended at 22 Ill. Reg. 22298, effective December 14, 1998; amended at 24 Ill. Reg. 16061, effective October 13, 2000; amended at 25 Ill. Reg. 12812, effective SEP 28 2001.

## Section 1770.180 Drawings

- a) All drawings utilizing a manual selection process of air-driven or gravity selection equipment shall be open to the public in a manner consistent with game security and facilities requirements and shall utilize such mechanical devices and following such procedures as are established by this Part and the game rule issued by departmental directive.
- b) The Department may award prizes of cash or merchandise as incidental or participation ~~door~~ prizes at drawings, as special events and in connection with promotions. Winning entries or winning numbers shall be drawn at random to determine such special prizes according to procedures determined by the Director from time to time and announced in appropriate directives.

(Source: Amended at 25 Ill. Reg. 12812, effective SEP 28 2001)

## Section 1770.200 Eligibility to Buy

No ticket shall be purchased by, and no prize shall be paid to any of the following persons:

- a) Any member of the Board or any officer or other person employed by the Board or by the Department; also any employees of any TV station from which lottery drawings originate who are directly involved in the production of drawing telecasts, including floor director, camera operators, stage hands, character generator operators, air control technicians, announcer and performer for each telecast; the employees of any advertising agency, public relations agency or any consultant employed by the Department who are directly involved in a Lottery engagement; and further those employees, of audit firms, performing on site contractual audit services with respect to Department's operations. In the event the Director determines that purchases of tickets by employees of any vendor of goods or services to the Department or Board may jeopardize the security or integrity of the Lottery, the Director will provide by rule or by contract with the vendor that no ticket shall be purchased by, and no prize shall be paid to, any officer or employee of the vendor, or certain officers of the employee or vendor, at the Director's discretion;
- b) Any spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any person designated in subsection (a) of this Section; or

## DEPARTMENT OF THE LOTTERY

## NOTICE OF ADOPTED AMENDMENTS

c) Any person under the age of 18. (Section 15 of the Act)

(Source: Amended 25 Ill. Reg. 12812, effective  
SEP 28 2001)

## PROCUREMENT POLICY BOARD

## NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: General Policies
- 2) Code Citation: 2 Ill. Adm. Code 3002
- 3) Section Numbers: 3002.1100  
Adopted Action:  
Amend
- 4) Statutory Authority: Illinois Procurement Code [30 ILCS 500]
- 5) Effective Date of Amendment: August 17, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in the Illinois Register: April 20, 2001, 25 Ill. Reg. 5597
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace any emergency amendments currently in effect?  
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: This amendment clarifies the filing requirements of rules requiring review by the Procurement Policy Board. The purpose is to better specify the filing requirements so that Board review is conducted in a timely manner.
- 16) Information and questions regarding this adopted amendment shall be directed to:  
Procurement Policy Board  
Tiffany Smith, Graduate Assistant  
511 W. Capitol Suite 102  
Springfield IL 62703  
217/785-3988  
Fax: 217/557-9927

## PROCUREMENT POLICY BOARD

## NOTICE OF ADOPTED AMENDMENT

The full text of the adopted amendment begins on the next page.

## PROCUREMENT POLICY BOARD

## NOTICE OF ADOPTED AMENDMENT

TITLE 2: GOVERNMENTAL ORGANIZATION  
SUBTITLE E: MISCELLANEOUS STATE AGENCIES  
CHAPTER LX: PROCUREMENT POLICY BOARD

PART 3002  
GENERAL POLICIES

Section	Authority and Purpose
3002.100	Authority and Purpose
3002.200	Definitions
3002.300	Agenda
3002.400	Meetings of the Board
3002.500	Board Review
3002.600	Publication of Notices, Proposals and Action by the Board
3002.700	Comments from the Public
3002.800	Petition to the Board by Public
3002.900	Submission of Complaints
3002.1000	Obtaining Other Information
3002.1100	Coordination with State Agencies and the General Assembly
3002.1200	Coordination with the Joint Committee, Administrative Code Division and CPOs

AUTHORITY: Implementing and authorized by the Illinois Procurement Code [30 ILCS 500].

SOURCE: Adopted at 23 Ill. Reg. 6895, effective June 1, 1999; amended at 25 Ill. Reg. 128173, effective AUG 17 2001.

Section 3002.1200 Coordination with Joint Committee, Administrative Code Division and CPOs

When the Board proposes or is required to review rules, it will do so prior to or contemporaneously in--conjunction with the Joint Committee, Administrative Code Division and CPO reviews in order to facilitate timely promulgation of the rules. Rules reviewed contemporaneously by the Board must be submitted to the Board no later than the time they are filed with the Secretary of State for First Notice publication.

(Source: Amended at 25 Ill. Reg. 128173, effective AUG 17 2001)



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Numbers:  
 140.475 Adopted Action:  
 Amendment  
 140.476 Amendment  
 140.477 Amendment  
 140.478 Amendment  
 140.479 Amendment  
 140.480 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective Date of Amendments: October 8, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: June 1, 2001 (25 Ill. Reg. 6855)
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Differences Between Proposal and Final Version: There are no substantive differences between the proposal and the final version.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will these amendments replace emergency amendments currently in effect?  
 No
- 14) Are there any other amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
140.11	Amendment	July 6, 2001 (25 Ill. Reg. 8098)
140.445	Amendment	June 29, 2001 (25 Ill. Reg. 7808)
140.447	Amendment	June 29, 2001 (25 Ill. Reg. 7808)
140.490	Amendment	September 24, 2001 (25 Ill. Reg. 12536)
140.491	Amendment	September 24, 2001 (25 Ill. Reg. 12536)
140.492	Amendment	September 24, 2001 (25 Ill. Reg. 12536)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

- 140.493 Amendment September 24, 2001 (25 Ill. Reg. 12536)
- 140.494 New Section September 24, 2001 (25 Ill. Reg. 12536)
- 140.513 Amendment August 24, 2001 (25 Ill. Reg. 10672)
- 15) Summary and Purpose of Amendments: These amendments to the Department's rules on medical payment pertain to coverage for medical equipment and supplies, prosthetic devices and orthotic devices. The amendments specify new licensure requirements regarding participating providers as imposed by any applicable licensure Act including the Home Medical Equipment and Services Provider License Act. Other changes allow the Department to deny payment for the repair or replacement of equipment and devices when evidence indicates that the damage or loss resulted from abuse of the equipment, and suspend prior approval requirements when the physician orders medical supplies in an amount that is less than the maximum allowable quantity limits established by the Department.
- Clarifications are also provided on coverage for orthotic devices, equipment and devices for residents of long term care facilities, hospice care, limitations concerning medical supplies, prior approval and post approval.
- 16) Information and questions regarding these adopted amendments shall be directed to:  
 Joanne Jones  
 Office of the General Counsel, Rules Section  
 Illinois Department of Public Aid  
 201 South Grand Avenue East, Third Floor  
 Springfield, Illinois 62763-0002  
 (217) 524-0081

The full text of the adopted amendments begins on the next page:

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 89: SOCIAL SERVICES

## CHAPTER I: DEPARTMENT OF PUBLIC AID

## SUBCHAPTER d: MEDICAL PROGRAMS

## PART 140

## MEDICAL PAYMENT

## SUBPART A: GENERAL PROVISIONS

## Incorporation By Reference

Medical Assistance Programs

Covered Services Under Medical Assistance Programs

Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)

Covered Medical Services Under General Assistance

Medical Services Not Covered

Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight

Medical Assistance For Qualified Severely Impaired Individuals

Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy

Medical Assistance Provided to Incarcerated Persons

## SUBPART B: MEDICAL PROVIDER PARTICIPATION

## Section

140.11 Enrollment Conditions for Medical Providers

140.12 Participation Requirements for Medical Providers

140.13 Definitions

140.14 Denial of Application to Participate in the Medical Assistance Program

140.15 Recovery of Money

140.16 Termination or Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program

140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program

140.18 Effect of Termination on Individuals Associated with Vendor

140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring

140.20 Submittal of Claims

140.21 Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)

140.22 Magnetic Tape Billings (Repealed)

140.23 Payment of Claims

140.24 Payment Procedures

140.25 Overpayment or Underpayment of Claims

140.26 Payment to Factors Prohibited

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## Assignment of Vendor Payments

140.28 Record Requirements for Medical Providers

140.30 Audits

140.31 Emergency Services Audits

140.32 Prohibition on Participation, and Special Permission for Participation

140.33 Publication of List of Terminated, Suspended or Barred Entities

140.35 False Reporting and Other Fraudulent Activities

140.40 Prior Approval for Medical Services or Items

140.41 Prior Approval in Cases of Emergency

140.42 Limitation on Prior Approval

140.43 Post Approval for items or Services When Prior Approval Cannot Be Obtained

140.55 Recipient Eligibility Verification (REV) System

140.71 Reimbursement for Medical Services Through the Use of a C-13 Invoice Voucher Advance Payment and Expedited Payments

140.72 Drug Manual (Recodified)

140.73 Drug Manual Updates (Recodified)

## SUBPART C: PROVIDER ASSESSMENTS

## Section

140.80 Hospital Provider Fund

140.82 Developmentally Disabled Care Provider Fund

140.84 Long Term Care Provider Fund

140.94 Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund

140.95 Hospital Services Trust Fund

140.96 General Requirements (Recodified)

140.97 Special Requirements (Recodified)

140.98 Covered Hospital Services (Recodified)

140.99 Hospital Services Not Covered (Recodified)

140.100 Limitation On Hospital Services (Recodified)

140.101 Transplants (Recodified)

140.102 Heart Transplants (Recodified)

140.103 Liver Transplants (Recodified)

140.104 Bone Marrow Transplants (Recodified)

140.110 Disproportionate Share Hospital Adjustments (Recodified)

140.116 Payment for Inpatient Services for GA (Recodified)

140.117 Hospital Outpatient and Clinic Services (Recodified)

140.200 Payment for Hospital Services During Fiscal Year 1982 (Recodified)

140.201 Payment for Hospital Services After June 30, 1982 (Repealed)

140.202 Payment for Hospital Services During Fiscal Year 1983 (Recodified)

140.203 Limits on Length of Stay by Diagnosis (Recodified)

140.300 Payment for pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)

140.350 Copayments (Recodified)

140.360 Payment Methodology (Recodified)



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

140.361	Non-Participating Hospitals (Recodified)
140.362	Pre July 1, 1989 Services (Recodified)
140.363	Post June 30, 1989 Services (Recodified)
140.364	Prepayment Review (Recodified)
140.365	Base Year Costs (Recodified)
140.366	Restructuring Adjustment (Recodified)
140.367	Inflation Adjustment (Recodified)
140.368	Volume Adjustment (Repealed)
140.369	Groupings (Recodified)
140.370	Rate Calculation (Recodified)
140.371	Payment (Recodified)
140.372	Review Procedure (Recodified)
140.373	Utilization (Repealed)
140.374	Alternatives (Recodified)
140.375	Exemptions (Recodified)
140.376	Utilization, Case-Mix and Discretionary Funds (Repealed)
140.390	Subacute Alcoholism and Substance Abuse Services (Recodified)
140.391	Definitions (Recodified)
140.392	Types of Subacute Alcoholism and Substance Abuse Services (Recodified)
140.394	Payment for Subacute Alcoholism and Substance Abuse Services (Recodified)
140.396	Rate Appeals for Subacute Alcoholism and Substance Abuse Services (Recodified)
140.398	Hearings (Recodified)

## SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section	
140.400	Payment to Practitioners, Nurses and Laboratories
140.410	Physicians' Services
140.411	Covered Services By Physicians
140.412	Services Not Covered By Physicians
140.413	Limitation on Physician Services
140.414	Requirements for Prescriptions and Dispensing of Pharmacy Items - Physicians
140.416	Optometric Services and Materials
140.417	Limitations on Optometric Services
140.418	Department of Corrections Laboratory
140.420	Dental Services
140.421	Limitations on Dental Services
140.422	Requirements for Prescriptions and Dispensing Items of Pharmacy Items - Dentists
140.425	Podiatry Services
140.426	Limitations on Podiatry Services
140.427	Requirement for Prescriptions and Dispensing of Pharmacy Items - Podiatry
140.428	Chiropractic Services

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

140.429	Limitations on Chiropractic Services (Repealed)
140.430	Independent Clinical Laboratory Services
140.431	Services Not Covered by Independent Clinical Laboratories
140.432	Limitations on Independent Clinical Laboratory Services
140.433	Payment for Clinical Laboratory Services
140.434	Record Requirements for Independent Clinical Laboratories
140.435	Nurse Services
140.436	Limitations on Nurse Services
140.438	Imaging Centers
140.440	Pharmacy Services
140.441	Pharmacy Services Not Covered
140.442	Prior Approval of Prescriptions
140.443	Filling of Prescriptions
140.444	Compounded Prescriptions
140.445	Legend Prescription Items (Not Compounded)
140.446	Over-the-Counter Items
140.447	Reimbursement
140.448	Returned Pharmacy Items
140.449	Payment of Pharmacy Items
140.450	Record Requirements for Pharmacies
140.451	Prospective Drug Review and Patient Counseling
140.452	Mental Health Clinic Services
140.453	Definitions
140.454	Types of Mental Health Clinic Services
140.455	Payment for Mental Health Clinic Services
140.456	Hearings
140.457	Therapy Services
140.458	Prior Approval for Therapy Services
140.459	Payment for Therapy Services
140.460	Clinic Services
140.461	Clinic Participation, Data and Certification Requirements
140.462	Covered Services in Clinics
140.463	Clinic Service Payment
140.464	Healthy Moms/Healthy Kids Managed Care Clinics (Repealed)
140.465	Speech and Hearing Clinics (Repealed)
140.466	Rural Health Clinics
140.467	Independent Clinics
140.469	Hospice
140.470	Home Health Services
140.471	Home Health Covered Services
140.472	Types of Home Health Services
140.473	Prior Approval for Home Health Services
140.474	Payment for Home Health Services
140.475	Medical Equipment, Supplies, and Prosthetic Devices and Orthotic Devices
140.476	Medical Equipment, Supplies, and Prosthetic Devices and Orthotic Devices for Which Payment Will Not Be Made
140.477	Limitations on Equipment, Supplies and Prosthetic Devices and



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

Orthotic Devices  
 140.478 Prior Approval for Medical Equipment, Supplies, and Prosthetic Devices and Orthotic Devices  
 140.479 Limitations, Medical Supplies  
 140.480 Equipment Rental Limitations  
 140.481 Payment for Medical Equipment, Supplies, Prosthetic Devices and Hearing Aids  
 140.482 Family Planning Services  
 140.483 Limitations on Family Planning Services  
 140.484 Payment for Family Planning Services  
 140.485 Healthy Kids Program  
 140.486 Limitations on Medichex Services (Repealed)  
 140.487 Healthy Kids Program Timeliness Standards  
 140.488 Periodicity Schedule, Immunizations and Diagnostic Laboratory Procedures  
 140.490 Medical Transportation  
 140.491 Limitations on Medical Transportation  
 140.492 Payment for Medical Transportation  
 140.493 Payment for Helicopter Transportation  
 140.495 Psychological Services  
 140.496 Payment for Psychological Services  
 140.497 Hearing Aids

## SUBPART E: GROUP CARE

Section  
 140.500 Long Term Care Services  
 140.502 Cessation of Payment at Federal Direction  
 140.503 Cessation of Payment for Improper Level of Care  
 140.504 Cessation of Payment Because of Termination of Facility  
 140.505 Informal Hearing Process for Denial of Payment for New ICF/MR Admissions  
 140.506 Provider Voluntary Withdrawal  
 140.507 Continuation of Provider Agreement  
 140.510 Determination of Need for Group Care  
 140.511 Long Term Care Services Covered by Department Payment  
 140.512 Utilization Control  
 140.513 Utilization Review Plan (Repealed)  
 140.514 Certifications and Recertifications of Care  
 140.515 Management of Recipient Funds--Personal Allowance Funds  
 140.516 Recipient Management of Funds  
 140.517 Correspondent Management of Funds  
 140.518 Facility Management of Funds  
 140.519 Use or Accumulation of Funds  
 140.520 Management of Recipient Funds--Local Office Responsibility  
 140.521 Room and Board Accounts  
 140.522 Reconciliation of Recipient Funds  
 140.523 Bed Reserves

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

140.524 Cessation of Payment Due to Loss of License  
 140.525 Quality Incentive Program (QUIP) Payment Levels  
 140.526 Quality Incentive Standards and Criteria for the Quality Incentive Program (QUIP) (Repealed)  
 140.527 Quality Incentive Survey (Repealed)  
 140.528 Payment of Quality Incentive (Repealed)  
 140.529 Reviews (Repealed)  
 140.530 Basis of Payment for Long Term Care Services  
 140.531 General Service Costs  
 140.532 Health Care Costs  
 140.533 General Administration Costs  
 140.534 Ownership Costs  
 140.535 Costs for Interest, Taxes and Rent  
 140.536 Organization and Pre-Operating Costs  
 140.537 Payments to Related Organizations  
 140.538 Special Costs  
 140.539 Reimbursement for Basic Nursing Assistant, Developmental Disabilities Aide, Basic Child Care Aide and Habilitation Aide Training and Nursing Assistant Competency Evaluation  
 140.540 Costs Associated With Nursing Home Care Reform Act and Implementing Regulations  
 140.541 Salaries Paid to Owners or Related Parties  
 140.542 Cost Reports-Filing Requirements  
 140.543 Time Standards for Filing Cost Reports  
 140.544 Access to Cost Reports (Repealed)  
 140.545 Penalty for Failure to File Cost Reports  
 140.550 Update of Operating Costs  
 140.551 General Service Costs  
 140.552 Nursing and Program Costs  
 140.553 General Administrative Costs  
 140.554 Component Inflation Index  
 140.555 Minimum Wage  
 140.560 Components of the Base Rate Determination  
 140.561 Support Costs Components  
 140.562 Nursing Costs  
 140.563 Capital Costs  
 140.565 Koshier Kitchen Reimbursement  
 140.566 Out-of-State Placement  
 140.567 Level II Incentive Payments (Repealed)  
 140.568 Duration of Incentive Payments (Repealed)  
 140.569 Clients With Exceptional Care Needs  
 140.570 Capital Rate Component Determination  
 140.571 Capital Rate Calculation  
 140.572 Total Capital Rate  
 140.573 Other Capital Provisions  
 140.574 Capital Rates for Rented Facilities  
 140.575 Newly Constructed Facilities (Repealed)  
 140.576 Renovations (Repealed)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

140.577 Capital Costs for Rented Facilities (Renumbered)  
140.578 Property Taxes  
140.579 Specialized Living Centers  
140.580 Mandated Capital Improvements (Repealed)  
140.581 Qualifying as Mandated Capital Improvement (Repealed)  
140.582 Cost Adjustments  
140.583 Campus Facilities  
140.584 Illinois Municipal Retirement Fund (IMRF)  
140.590 Audit and Record Requirements  
140.642 Screening Assessment for Nursing Facility and Alternative Residential Settings and Services  
140.643 In-Home Care Program  
140.645 Home and Community Based Services Waivers for Medically Fragile, Technology Dependent, Disabled Persons Under Age 21  
140.646 Reimbursement for Developmental Training (DT) Services for Individuals With Developmental Disabilities Who Reside in Long Term Care (ICF AND SNF) and Residential (ICF/MR) Facilities  
140.647 Description of Developmental Training (DT) Services  
140.648 Determination of the Amount of Reimbursement for Developmental Training (DT) Programs  
140.649 Effective Dates of Reimbursement for Developmental Training (DT) Programs  
140.650 Certification of Developmental Training (DT) Programs  
140.651 Decertification of Day Programs  
140.652 Terms of Assurances and Contracts  
140.680 Effective Date Of Payment Rate  
140.700 Discharge of Long Term Care Residents  
140.830 Appeals of Rate Determinations  
140.835 Determination of Cap on Payments for Long Term Care (Repealed)

## SUBPART F: FEDERAL CLAIMING FOR STATE AND LOCAL GOVERNMENTAL ENTITIES

Section  
140.850 Reimbursement of Administrative Expenditures  
140.855 Administrative Claim Review and Reconsideration Procedure  
140.860 Covered Services (Repealed)  
140.865 Sponsor Qualifications (Repealed)  
140.870 Sponsor Responsibilities (Repealed)  
140.875 Department Responsibilities (Repealed)  
140.880 Provider Qualifications (Repealed)  
140.885 Provider Responsibilities (Repealed)  
140.890 Payment Methodology (Repealed)  
140.895 Contract Monitoring (Repealed)  
140.896 Reimbursement For Program Costs (Active Treatment) For Clients In Long Term Care Facilities For the Developmentally Disabled (Repealed)  
140.900 Reimbursement For Nursing Costs For Geriatric Residents in Group Care Facilities (Repealed)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

140.901 Functional Areas of Needs (Recodified)  
140.902 Service Needs (Recodified)  
140.903 Definitions (Recodified)  
140.904 Times and Staff Levels (Repealed)  
140.905 Statewide Rates (Repealed)  
140.906 Reconsiderations (Recodified)  
140.907 Midnight Census Report (Recodified)  
140.908 Times and Staff Levels (Recodified)  
140.909 Statewide Rates (Recodified)  
140.910 Referrals (Recodified)  
140.911 Basic Rehabilitation Aide Training Program (Recodified)  
140.912 Interim Nursing Rates (Recodified)

Section  
140.920 General Description  
140.922 Covered Services  
140.924 Maternal and Child Health Provider Participation Requirements  
140.926 Client Eligibility (Repealed)  
140.928 Client Enrollment and Program Components (Repealed)  
140.930 Reimbursement  
140.932 Payment Authorization for Referrals (Repealed)

## SUBPART G: MATERNAL AND CHILD HEALTH PROGRAM

## SUBPART H: ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT EQUITY (ICARE) PROGRAM

Section  
140.940 Illinois Competitive Access and Reimbursement Equity (ICARE) Program (Recodified)  
140.942 Definition of Terms (Recodified)  
140.944 Notification of Negotiations (Recodified)  
140.946 Hospital Participation in ICARE Program Negotiations (Recodified)  
140.948 Negotiation Procedures (Recodified)  
140.950 Factors Considered in Awarding ICARE Contracts (Recodified)  
140.952 Closing an ICARE Area (Recodified)  
140.954 Administrative Review (Recodified)  
140.956 Payments to Contracting Hospitals (Recodified)  
140.958 Admitting and Clinical Privileges (Recodified)  
140.960 Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment (Recodified)  
140.962 Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Recodified)  
140.964 Contract Monitoring (Recodified)  
140.966 Transfer of Recipients (Recodified)  
140.968 Validity of Contracts (Recodified)  
140.970 Termination of ICARE Contracts (Recodified)  
140.972 Hospital Services Procurement Advisory Board (Recodified)



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

- 140.980 Elimination Of Aid To The Medically Indigent (AMI) Program (Emergency Expired)
- 140.982 Elimination Of Hospital Services For Persons Age Eighteen (18) And Older And Persons Married And Living With Spouse, Regardless Of Age (Emergency Expired)
- TABLE A Medichuk Recommended Screening Procedures (Repealed)
- TABLE B Geographic Areas
- TABLE C Capital Cost Areas
- TABLE D Schedule of Dental Procedures
- TABLE E Time Limits for Processing of Prior Approval Requests
- TABLE F Podiatry Service Schedule
- TABLE G Travel Distance Standards
- TABLE H Areas of Major Life Activity
- TABLE I Staff Time and Allocation for Training Programs (Recodified)
- TABLE J HSA Grouping (Repealed)
- TABLE K Services Qualifying for 10% Add-On (Repealed)
- TABLE L Services Qualifying for 10% Add-On to Surgical Incentive Add-On (Repealed)
- TABLE M Enhanced Rates for Maternal and Child Health Provider Services

**AUTHORITY:** Implementing and authorized by Articles III, IV, V, VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

**SOURCE:** Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; codified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295,







## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993; amended at 17 Ill. Reg. 7004, effective May 17, 1993; expedited correction at 17 Ill. Reg. 7078, effective December 1, 1992; emergency amendment at 17 Ill. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 15162, effective September 2, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 18152, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, 1993; emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993, for a maximum of 150 days; emergency amendment suspended effective October 12, 1993; amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill. Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency amendment at 18 Ill. Reg. 10922, effective July 1, 1994, for a maximum of 150 days; emergency amendment suspended, effective November 15, 1994; emergency amendment repealed at 19 Ill. Reg. 5839, effective April 4, 1995; amended at 18 Ill. Reg. 11244, effective July 1, 1994; amended at 18 Ill. Reg. 14126, effective August 29, 1994; amended at 18 Ill. Reg. 16675, effective November 1, 1994; amended at 18 Ill. Reg. 18059, effective December 19, 1994; amended at 19 Ill. Reg. 1082, effective January 20, 1995; amended at 19 Ill. Reg. 2933, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effective March 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 5663, effective April 1, 1995; amended at 19 Ill. Reg. 7919, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 8455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 9297, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10252, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, effective September 5, 1995; amended at 19 Ill. Reg. 14440, effective September 29, 1995; emergency amendment at 19 Ill. Reg. 14833, effective October 6, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at 19 Ill. Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 1210, effective December 29, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996; amended at 20 Ill. 5858, effective April 5, 1996; amended at 20 Ill. Reg. 6929, effective May 6, 1996; amended at 20 Ill. Reg. 7922, effective May 31, 1996; amended at 20 Ill. Reg. 9081, effective June 28, 1996; emergency amendment at 20 Ill. Reg. 9312, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 11332, effective August 1, 1996; amended at 20 Ill. Reg. 14845, effective October 31, 1996; emergency amendment at 21 Ill. Reg. 705, effective December 31, 1996, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 3734, effective March 5, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4777, effective April 2, 1997; amended at 21 Ill. Reg. 6899, effective May 23, 1997; amended at 21 Ill. Reg. 9763, effective July 15, 1997; amended at 21 Ill. Reg. 11569, effective August 1, 1997; emergency amendment at 21 Ill. Reg. 13857, effective October 1, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 1416, effective December 29, 1997; amended at 22 Ill. Reg. 4412, effective February 27, 1998; amended at 22 Ill. Reg.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

7024, effective April 1, 1998; amended at 22 Ill. Reg. 10606, effective June 1, 1998; emergency amendment at 22 Ill. Reg. 13117, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16302, effective August 28, 1998; amended at 22 Ill. Reg. 18979, effective September 30, 1998; amended at 22 Ill. Reg. 19898, effective October 30, 1998; emergency amendment at 22 Ill. Reg. 22108, effective December 1, 1998, for a maximum of 150 days, emergency expired April 29, 1999; amended at 23 Ill. Reg. 5796, effective April 30, 1999; amended at 23 Ill. Reg. 7122, effective June 1, 1999; emergency amendment at 23 Ill. Reg. 8236, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 9874, effective August 3, 1999; amended at 23 Ill. Reg. 12697, effective October 1, 1999; amended at 23 Ill. Reg. 13646, effective November 1, 1999; amended at 23 Ill. Reg. 14567, effective December 1, 1999; amended at 24 Ill. Reg. 661, effective January 3, 2000; amended at 24 Ill. Reg. 10277, effective July 1, 2000; emergency amendment at 24 Ill. Reg. 10436, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15086, effective October 1, 2000; amended at 24 Ill. Reg. 18320, effective December 1, 2000; emergency amendment at 24 Ill. Reg. 19344, effective December 15, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 3897, effective March 1, 2001; amended at 25 Ill. Reg. 6665, effective May 11, 2001; amended at 25 Ill. Reg. 8793, effective July 1, 2001; emergency amendment at 25 Ill. Reg. 8850, effective July 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 11880, effective September 1, 2001; amended at 25 Ill. Reg. 12820, effective October 8, 2001.

## SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section 140.475 Medical Equipment, Supplies, and Prosthetic Devices and Orthotic Devices

- a) Payment for the provision of medical equipment, supplies, and prosthetic devices and orthotic devices shall be made only to participating providers who are licensed or exempt from licensure under any licensure Act, including but not limited to the Home Medical Equipment and Services Provider License Act [225 ILCS 51].
- b) Payment for medical equipment, supplies, and prosthetic devices and orthotic devices shall be made when:

1) when:

- A) they are essential to enable a client to remain at home or to function in the community; and
- B) 2) the client's physician has recommended in writing to the Department or in a patient care plan that the supplies or equipment be provided and that they are medically necessary; and
- C) 3) the Department has approved payment based on consideration of:
- i) A) the client's medical condition,
  - ii) B) the benefits the item is expected to effect,
  - iii) C) the client's ability to adjust to and to use the

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

item recommended, and

iv) But in the case of whether a communication device, whether the device will increase the client's potential for full participation in health care by assisting in cause and effect awareness, or training physical movements or improving the client's understanding and comprehension of his or her health needs and responsibilities; or and

4) the client is dually-eligible for services from the Department of Public Aid--and the Department of Rehabilitation Services--and/or the Division of Specialized Services for Children--and--meets--the provisions outlined in subsections (b)(1)-(2) and (3) above--or

25) when the Individual Program Plan (IPP) of an individual with developmental disabilities residing in an ICF/MR or a long term care facility identifies the equipment, supplies, and prosthetic devices and orthotic devices that which are necessary for his or her participation in active treatment as described in 42 CFR 483.440, Condition of Participation: Active Treatment Service.

c) Payment shall be made for the repair of prosthetic devices, orthotic devices and medical equipment owned by recipients if the item is out of warranty and the sum of the individual repair parts and the labor does not exceed 75 percent of the cost of a new unit. Labor charges are to be included in the repair price. A guarantee of at least 180 days must be provided. Charges shall not include tax, delivery, rebate, packaging or freight. The Department may agree to assume repair costs of a rented or loaned communication system if such an agreement is required by the manufacturer's or vendor's rental or loan terms. The Department may deny payment for repairs if evidence indicates that damage has resulted from abuse of the equipment.

d) Payment shall be made for loaner items issued pending repair or replacement of prosthetic devices, orthotic devices and medical equipment owned by recipients if it is the usual practice of the supplier to provide and charge for such items.

e) Covered services are:

1) Non-durable medical supplies for an individual's life maintenance care and treatment;

2) Durable medical equipment supplies essential to expedite a hospital discharge and to enable the person to be cared for at home;

3) Prosthetic and orthotic devices Prostheses--and--orthoses, including communication devices, that which are essential to enhance functional mobility or medically necessary communication, or are essential for employment; and

4) Respiratory equipment and supplies necessary as a life saving measure or for prevention of a medical emergency, institutionalization, or to facilitate deinstitutionalization; and--

5) Repair of durable medical equipment, prosthetic devices and

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

orthotic devices.

f) Payment shall be made for covered services on a prior approval basis, except for repair or replacement of medical equipment--and--prosthetic and orthotic devices, as provided under Section 140.477.

(Source: Amended 06-8-2001 at 25 Ill. Reg. 12820 effective 12820)

### Section 140.476 Medical Equipment, Supplies, and Prosthetic Devices and Orthotic Devices for Which Payment Will Not Be Made

Payment shall not be made for:

a) Items or repair of items for residents of long term care facilities, when such items are: long-term-care facilities

1) Durable medical equipment or supplies required by an individual in a long term care facility that which are commonly used in patient care and considered as a part of the per diem reimbursement paid by the Department. Such items include, but are not limited to the following:

A) Equipment: Canes, crutches, standard wheelchairs, walkers, commodes, beds, mattresses, belts, cradles, trapeze bars, patient lifts, bedpans, urinals, suction equipment, supplies, hypothermia units, apnea monitors, and equipment necessary for the administration of oxygen.

B) Supplies: Catheters, urinary drainage bags, first aid supplies, dressings, soaps, irrigation supplies, drinking tubes, and other supplies necessary to provide patient care.

2) Equipment required for a resident of a long term care facility ~~long-term-care facility~~, unless the equipment must be made to order for an identified recipient and based on a medical need, or which is identified by the Individual Program Plan (IPP) of an individual with developmental disabilities as necessary to fulfill the requirements for active treatment services.

b) Items or services that which are not medically necessary to treat the recipient's disease, disability, infirmity or impairment.

c) Prosthetic and orthotic devices Prostheses inserted or implanted that which do not increase physical capacity, overcome a handicap, restore a physiological function, or eliminate a functional disability.

d) Items or services for which the Department has not granted prior approval where prior approval is required prior--authorized--if appropriate.

e) Stock orthopedic shoes, unless used in conjunction with a brace.

f) Items or services for a client who has elected hospice care, when the items or services are related to the terminal illness.

g) Items or services fabricated, fitted or dispensed without an appropriate license.

(Source: Amended at 25 Ill. Reg. 12820, effective 12820)



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

OCT - 8 2001

Section 140.477 Limitations on Equipment, and Prosthetic Devices and Orthotic Devices

- a) Prior approval for the purchase, repair or rental provision or replacement of certain medical equipment, prosthetic devices and orthotic devices ~~protheses~~ is required except when:
- 1a) The client is a Medicare beneficiary and the item requested has been reimbursed under the Medicare program; or
  - 2b) Repair costs do not exceed 75 percent of the purchase price and the item is not covered by a warranty; or
  - 3e) The item is being loaned pending repair or replacement of the recipient's own item, or
- b) Replacement of covered equipment, prosthetic devices and orthotic devices is subject to all policies that apply to an original purchase of the same item. Replacements will not be reimbursed by the Department if the original item is under a warranty that would cover the necessary repairs or replacement. If the item requires prior approval and if the item was purchased by the Department for the same client within the past 12 months, the Department's original determination of medical necessity will be deemed adequate for the replacement purchase. In this case, the request for prior approval must contain an explanation of the need for replacement. The Department may deny payment for replacement of equipment if evidence indicates that breakage or loss has resulted from abuse of the equipment.

d) Items are replaced within 24 months of purchase date as long as all the following criteria are met:

- 1) The item is not under warranty, and
- 2) The item was not faulty at time of purchase, and
- 3) The original purchase was made by the Department for the same recipient for whom the replacement is being initiated, and
- 4) The original item is either not repairable or the cost of repairs is more than or equal to the replacement, and
- 5) The replacement item is new and equivalent to the original item purchased.

(Source: Amended at 25 Ill. Reg. 128203 effective OCT - 8 2001)

Section 140.478 Prior Approval for Medical Equipment, Supplies, and Prosthetic Devices and Orthotic Devices

- a) The following time frames shall be adhered to by the Department when prior approval is required for medical equipment, prosthetic devices and orthotic orthotic/prosthetic devices (see also Section 140.40):
- 1) Decisions to approve or deny a request for prior approval of

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

life-sustaining respiratory supplies and equipment will be made within 30 days after the date of receipt of the request by the Department. Prior approval is not required for such items for the first 30 days of service.

- 2) Decisions to approve or deny requests for artificial limbs and braces shall be made within 21 days after the date of receipt of the request by the Department.
  - 3) Decisions to approve or deny requests for standard wheelchairs and hospital beds shall be made within 21 days after the date of receipt of the request by the Department.
  - 4) Decisions to approve or deny requests for hearing aids, communication devices, custom molded shoes, shoe corrections, orthopedic shoes used in conjunction with a brace, and custom wheelchairs, shall be made within 30 days after the date of receipt of the request by the Department.
  - 5) Decisions to approve or deny requests for medical supplies costing less than \$100 shall be made within 21 days after the date of receipt of the requests by the Department.
  - 6) Decisions to approve or deny requests for medical supplies costing more than \$100 shall be made within 30 days after the date of receipt of the request by the Department.
- b) Post approval may be requested. Post approval will be granted in circumstances when prior approval could not be requested, such as:
- 1) determination of the patient's eligibility for public assistance was delayed;
  - 2) the medical need arose unexpectedly outside of the Department's normal business hours and prior emergency approval could not be obtained;
  - 3) other third party resources denied payment.

(Source: Amended at 25 Ill. Reg. 128203, effective OCT - 8 2001)

Section 140.479 Limitations, Medical Supplies

- a) Reimbursement for approval of medical supplies will be limited to the quantity indicated by the ordering practitioner or to the quantity specified in the Department's prior approval, whichever is less a reasonable quantity for a month. Once the total quantity specified by the ordering practitioner has been provided or the period of time shown on the approval request has elapsed, a new written order must be obtained, except for
- a) frequently used supplies for a patient followed up by an approved rehabilitation facility or an amputee clinic - these require a practitioner's written recommendation renewed every 12 months. AGENCY NOTE: See Sections 140.40 through 140.42 for prior approval requirements.
- b) A new written order must be obtained from the physician no less often

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

than every 12 months, even for supplies needed for an ongoing chronic condition.

- b) ~~frequently-used supplies for patients whose diagnoses indicate an ongoing chronic need for supplies; the practitioners' written recommendation must be renewed every 12 months; diagnoses indicating a chronic long-term need; include but are not limited to: quadriplegia, paraplegia, urinary incontinence, diabetes, permanent colostomy, ileostomy, or ureterosomy; neurogenic bladder; tracheostomy and hydrocephalus.~~

- c) Prior approval for the purchase of medical supplies is required except when:

- 1) The client is a Medicare beneficiary and the item requested has been reimbursed under the Medicare program; or
- 2) Items are being dispensed, per physician order, in amounts less than the normal maximum allowable quantity limits established by the Department.

- d) The exemptions from prior approval specified in subsection (c) apply only if the quantity ordered by the physician is equal to or less than the Department's maximum allowable quantity. If the physician has ordered a quantity that exceeds the Department's maximum allowable quantity, the dispensing provider must request prior approval for the entire order. The Department will not pay for the dispensing of any quantity that is less than the physician's order, unless:

- 1) the dispensing provider can document that the ordering physician has confirmed that the excess quantity is not medically necessary; or
- 2) the Department has denied the request for prior approval of the excess quantity.

(Source: Amended at 25 Ill. Reg. 12820, effective 01-8-2001)

## Section 140.480 Equipment Rental Limitations

Total cumulative rental costs must not exceed the usual retail price of the medical equipment except for durable equipment used for respiratory care. When total cumulative rental costs exceed the purchase price, the Department considers the equipment paid for in full and the property of the Department. Some durable durable medical equipment items used for respiratory care are covered ~~shall be obtained~~ on a rental or lease basis only. Rental charges must be terminated after the recipient's need for the equipment ceases to exist.

(Source: Amended at 25 Ill. Reg. 12820, effective 01-8-2001)

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Retailers' Occupation Tax
- 2) Code Citation: 86 Ill. Adm. Code 130
- 3) Section Numbers: Adopted Action:  
130.1501 Amendment  
130.1505 Amendment
- 4) Statutory Authority: 20 ILCS 2505/2505-25; 20 ILCS 2505/2505-795
- 5) Effective Date of Amendments: October 1, 2001
- 6) Do these amendments contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: July 6, 2001, 25 Ill. Reg. 8116
- 10) Has JCAR issued a Statement of Objections to these Amendments? No
- 11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace an emergency amendment currently in effect?  
No
- 14) Are there any amendments pending on this Part? Yes
- | Section Numbers | Proposed Action | IL Register Citation         |
|-----------------|-----------------|------------------------------|
| 130.401         | Amendment       | 12/29/00, 24 Ill. Reg. 19030 |
| 130.2013        | New Section     | 09/14/01, 25 Ill. Reg. 11759 |
| 130.445         | Amendment       | 09/21/01, 25 Ill. Reg. 12065 |
| 130.2011        | Amendment       | 09/28/01, 25 Ill. Reg. 12399 |
| 130.2012        | Amendment       | 09/28/01, 25 Ill. Reg. 12399 |
- 15) Summary and Purpose of Amendments: This rulemaking amends Sections 130.1501 and 1505 to provide that the Department may cancel a credit memorandum and issue a refund in lieu thereof in cases where the credit memorandum has a remaining balance of less than \$10.00 and one year or



## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

more has passed from the date of issuance of the credit memorandum.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Dana Deen Kinion  
Associate Counsel  
Illinois Department of Revenue  
Legal Services Office  
101 West Jefferson  
Springfield, Illinois 62794  
217) 782-6996

The full text of the adopted amendments begins on the next page:

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUE

PART 130  
RETAILERS' OCCUPATION TAX

## SUBPART A: NATURE OF TAX

Section	Character and Rate of Tax
130.101	Responsibility of Trustees, Receivers, Executors or Administrators
130.105	Occasional Sales
130.110	Sale of Used Motor Vehicles by Leasing or Rental Business
130.111	Habitual Sales
130.115	Nontaxable Transactions
130.120	

## SUBPART B: SALE AT RETAIL

Section	The Test of a Sale at Retail
130.201	Sales for Transfer Incident to Service
130.205	Sales of Tangible Personal Property to Purchasers for Resale
130.210	Further Illustrations of Sales for Use or Consumption Versus Sales for Resale
130.215	Sales to Lessors of Tangible Personal Property
130.220	Drop Shipments
130.225	

## SUBPART C: CERTAIN STATUTORY EXEMPTIONS

Section	Farm Machinery and Equipment
130.305	Food, Drugs, Medicines and Medical Appliances
130.310	Fuel Sold for Use in Vessels on Rivers Bordering Illinois
130.315	Gasohol
130.320	Fuel Used by Air Common Carriers in International Flights
130.321	Graphic Arts Machinery and Equipment Exemption
130.325	Manufacturing Machinery and Equipment
130.330	Manufacturer's Purchase Credit
130.331	Automatic Vending Machines that Dispense Hot Food or Beverages
130.332	Pollution Control Facilities
130.335	Rolling Stock
130.340	Oil Field Exploration, Drilling and Production Equipment
130.345	Coal Exploration, Mining, Off Highway Hauling, Processing,
130.350	Maintenance and Reclamation Equipment
130.351	Aggregate Manufacturing

## SUBPART D: GROSS RECEIPTS

Section



## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

130.401 Meaning of Gross Receipts  
130.405 How to Avoid Paying Tax on State or Local Tax Passed on to the Purchaser  
130.410 Cost of Doing Business Not Deductible  
130.415 Transportation and Delivery Charges  
130.420 Finance or Interest Charges--Penalties--Discounts  
130.425 Traded-In Property  
130.430 Deposit or Prepayment on Purchase Price  
130.435 State and Local Taxes Other Than Retailers' Occupation Tax  
130.440 Penalties  
130.445 Federal Taxes  
130.450 Installation, Alteration and Special Service Charges  
130.455 Motor Vehicle Leasing and Trade-In Allowances

## SUBPART E: RETURNS

Section  
130.501 Monthly Tax Returns--When Due--Contents  
130.502 Quarterly Tax Returns  
130.505 Returns and How to Prepare  
130.510 Annual Tax Returns  
130.515 First Return  
130.520 Final Returns When Business is Discontinued  
130.525 Who May Sign Returns  
130.530 Returns Covering More Than One Location Under Same Registration--Separate Returns for Separately Registered Locations  
130.535 Payment of the Tax, Including Quarter Monthly Payments in Certain Instances  
130.540 Returns on a Transaction by Transaction Basis  
130.545 Registrants Must File a Return for Every Return Period  
130.550 Filing of Returns for Retailers by Suppliers Under Certain Circumstances  
130.551 Prepayment of Retailers' Occupation Tax on Motor Fuel  
130.555 Vending Machine Information Returns  
130.560 Verification of Returns

## SUBPART F: INTERSTATE COMMERCE

Section  
130.601 Preliminary Comments  
130.605 Sales of Property Originating in Illinois  
130.610 Sales of Property Originating in Other States

## SUBPART G: CERTIFICATE OF REGISTRATION

Section  
130.701 General Information on Obtaining a Certificate of Registration  
130.705 Procedure in Disputed Cases Involving Financial Responsibility

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

Requirements  
130.710 Procedure When Security Must be Forfeited  
130.715 Sub-Certificates of Registration  
130.720 Separate Registrations for Different Places of Business of Same Taxpayer Under Some Circumstances  
130.725 Display  
130.730 Replacement of Certificate  
130.735 Certificate Not Transferable  
130.740 Certificate Required For Mobile Vending Units  
130.745 Revocation of Certificate

## SUBPART H: BOOKS AND RECORDS

Section  
130.801 General Requirements  
130.805 What Records Constitute Minimum Requirement  
130.810 Records Required to Support Deductions  
130.815 Preservation and Retention of Records  
130.820 Preservation of Books During Pendency of Assessment Proceedings  
130.825 Department Authorization to Destroy Records Sooner Than Would Otherwise be Permissible

## SUBPART I: PENALTIES AND INTEREST

Section  
130.901 Civil Penalties  
130.905 Interest  
130.910 Criminal Penalties

## SUBPART J: BINDING OPINIONS

Section  
130.1001 When Opinions from the Department are Binding

## SUBPART K: SELLERS LOCATED ON, OR SHIPPING TO, FEDERAL AREAS

Section  
130.1101 Definition of Federal Area  
130.1105 When Deliveries on Federal Areas Are Taxable  
130.1110 No Distinction Between Deliveries on Federal Areas and Illinois Deliveries Outside Federal Areas

## SUBPART L: TIMELY MAILING TREATED AS TIMELY FILING AND PAYING

Section  
130.1201 General Information  
130.1205 Due Date that Falls on Saturday, Sunday or a Holiday

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

## SUBPART M: LEASED PORTIONS OF LESSOR'S BUSINESS SPACE

Section  
130.1301 When Lessee of Premises Must File Return for Leased Department  
130.1305 When Lessor of Premises Should File Return for Business Operated on Leased Premises  
130.1310 Meaning of "Lessor" and "Lessee" in this Regulation

## SUBPART N: SALES FOR RESALE

Section  
130.1401 Seller's Responsibility to Determine the Character of the Sale at the Time of the Sale  
130.1405 Seller's Responsibility to Obtain Certificates of Resale and Requirements for Certificates of Resale  
130.1410 Requirements for Certificates of Resale (Repealed)  
130.1415 Resale Number--When Required and How Obtained  
130.1420 Blanket Certificate of Resale (Repealed)

## SUBPART O: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

Section  
130.1501 Claims for Credit--Limitations--Procedure  
130.1505 Disposition of Credit Memoranda by Holders Thereof  
130.1510 Refunds  
130.1515 Interest

## SUBPART P: PROCEDURE TO BE FOLLOWED UPON SELLING OUT OR DISCONTINUING BUSINESS

Section  
130.1601 When Returns are Required After a Business is Discontinued  
130.1605 When Returns are Not Required After Discontinuation of a Business  
130.1610 Cross Reference to Bulk Sales Regulation

## SUBPART Q: NOTICE OF SALES OF GOODS IN BULK

Section  
130.1701 Bulk Sales: Notices of Sales of Business Assets

## SUBPART R: POWER OF ATTORNEY

Section  
130.1801 When Powers of Attorney May be Given  
130.1805 Filing of Power of Attorney With Department  
130.1810 Filing of Papers by Agent Under Power of Attorney

## SUBPART S: SPECIFIC APPLICATIONS

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

Section  
130.1901 Addition Agents to Plating Baths  
130.1905 Agricultural Producers  
130.1910 Antiques, Curios, Art Work, Collectors' Coins, Collectors' Postage Stamps and Like Articles  
130.1915 Auctioneers and Agents  
130.1920 Barbers and Beauty Shop Operators  
130.1925 Blacksmiths  
130.1930 Chiroprodists, Osteopaths and Chiropractors  
130.1935 Computer Software  
130.1940 Construction Contractors and Real Estate Developers  
130.1945 Co-operative Associations  
130.1950 Dentists  
130.1951 Enterprise Zones  
130.1952 Sales of Building Materials to a High Impact Business  
130.1955 Farm Chemicals  
130.1960 Finance Companies and Other Lending Agencies -- Installment Contracts -- Bad Debts  
130.1965 Florists and Nurserymen  
130.1970 Hatcheries  
130.1971 Sellers of Pets and the Like  
130.1975 Operators of Games of Chance and Their Suppliers  
130.1980 Optometrists and Opticians  
130.1985 Pawnbrokers  
130.1990 Peddlers, Hawkers and Itinerant Vendors  
130.1995 Personalizing Tangible Personal Property  
130.2000 Persons Engaged in the Printing, Graphic Arts or Related Occupations, and Their Suppliers  
130.2004 Sales to Nonprofit Arts or Cultural Organizations  
130.2005 Persons Engaged in Nonprofit Service Enterprises and in Similar Enterprises Operated As Businesses, and Suppliers of Such Persons  
130.2006 Sales by Teacher-Sponsored Student Organizations  
130.2007 Exemption Identification Numbers  
130.2008 Sales by Nonprofit Service Enterprises  
130.2009 Personal Property Purchased Through Certain Fundraising Events for the Benefit of Certain Schools  
130.2010 Persons Who Rent or Lease the Use of Tangible Personal Property to Others  
130.2011 Sales to Persons Who Lease Tangible Personal Property to Exempt Hospitals  
130.2012 Sales to Persons Who Lease Tangible Personal Property to Governmental Bodies  
130.2015 Persons Who Repair or Otherwise Service Tangible Personal Property  
130.2020 Physicians and Surgeons  
130.2025 Picture-Framers  
130.2030 Public Amusement Places  
130.2035 Registered Pharmacists and Druggists  
130.2040 Retailers of Clothing



## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

130.2045 Retailers on Premises of the Illinois State Fair, County Fairs, Art Shows, Flea Markets and the Like

130.2050 Sales and Gifts By Employers to Employees

130.2055 Sales by Governmental Bodies

130.2060 Sales of Alcoholic Beverages, Motor Fuel and Tobacco Products

130.2065 Sales of Automobiles for Use In Demonstration (Repealed)

130.2070 Sales of Containers, Wrapping and Packing Materials and Related Products

130.2075 Sales To Construction Contractors, Real Estate Developers and Speculative Builders

130.2076 Sales to Purchasers Performing Contracts with Governmental Bodies

130.2080 Sales to Governmental Bodies, Foreign Diplomats and Consular Personnel

130.2085 Sales to or by Banks, Savings and Loan Associations and Credit Unions

130.2090 Sales to Railroad Companies

130.2095 Sellers of Gasohol, Coal, Coke, Fuel Oil and Other Combustibles

130.2100 Sellers of Feeds and Breeding Livestock

130.2105 Sellers of Newspapers, Magazines, Books, Sheet Music and Recordings, and Their Suppliers; Transfer of Data Downloaded Electronically

130.2110 Sellers of Seeds and Fertilizer

130.2115 Sellers of Machinery, Tools and Special Order Items

130.2120 Suppliers of Persons Engaged in Service Occupations and Professions

130.2125 Trading Stamps and Discount Coupons

130.2130 Undertakers and Funeral Directors

130.2135 Vending Machines

130.2140 Vendors of Curtains, Slip Covers, Floor Covering and Other Similar Items Made to Order

130.2145 Vendors of Meals

130.2150 Vendors of Memorial Stones and Monuments

130.2155 Vendors of Signs

130.2156 Vendors of Steam

130.2160 Vendors of Tangible Personal Property Employed for Premiums, Advertising, Prizes, Etc.

130.2165 Veterinarians

130.2170 Warehousemen

## ILLUSTRATION A Examples of Tax Exemption Cards

AUTHORITY: Implementing the Illinois Retailers' Occupation Tax Act [35 ILCS 120] and authorized by Section 2505-25 of the Civil Administrative Code of Illinois [20 ILCS 2505/2505-25].

SOURCE: Adopted July 1, 1933; amended at 2 Ill. Reg. 50, p. 71, effective December 10, 1978; amended at 3 Ill. Reg. 12, p. 4, effective March 19, 1979; amended at 3 Ill. Reg. 13, pp. 93 and 95, effective March 25, 1979; amended at 3 Ill. Reg. 23, p. 164, effective June 3, 1979; amended at 3 Ill. Reg. 25, p. 229, effective June 17, 1979; amended at 3 Ill. Reg. 44, p. 193, effective

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

October 19, 1979; amended at 3 Ill. Reg. 46, p. 52, effective November 2, 1979; amended at 4 Ill. Reg. 24, pp. 520, 539, 564 and 571, effective June 1, 1980; amended at 5 Ill. Reg. 818, effective January 2, 1981; amended at 5 Ill. Reg. 3014, effective March 11, 1981; amended at 5 Ill. Reg. 12782, effective November 2, 1981; amended at 6 Ill. Reg. 2860, effective March 3, 1982; amended at 6 Ill. Reg. 6780, effective May 24, 1982; codified at 6 Ill. Reg. 8229; recodified at 6 Ill. Reg. 8999; amended at 6 Ill. Reg. 15225, effective December 3, 1982; amended at 7 Ill. Reg. 7990, effective June 15, 1983; amended at 8 Ill. Reg. 5319, effective April 11, 1984; amended at 8 Ill. Reg. 19062, effective September 26, 1984; amended at 10 Ill. Reg. 1937, effective January 10, 1986; amended at 10 Ill. Reg. 12067, effective July 1, 1986; amended at 10 Ill. Reg. 19538, effective November 5, 1986; amended at 10 Ill. Reg. 19772, effective November 5, 1986; amended at 11 Ill. Reg. 4325, effective March 2, 1987; amended at 11 Ill. Reg. 6252, effective March 20, 1987; amended at 11 Ill. Reg. 18284, effective October 27, 1987; amended at 11 Ill. Reg. 18767, effective October 28, 1987; amended at 11 Ill. Reg. 19138, effective October 29, 1987; amended at 11 Ill. Reg. 19696, effective November 23, 1987; amended at 12 Ill. Reg. 5652, effective March 15, 1988; emergency amendment at 12 Ill. Reg. 14401, effective September 1, 1988, for a maximum of 150 days, modified in response to an objection of the Joint Committee on Administrative Rules at 12 Ill. Reg. 19531, effective November 4, 1988, not to exceed the 150 day time limit of the original rulemaking; emergency expired January 29, 1989; amended at 13 Ill. Reg. 11824, effective June 29, 1989; amended at 14 Ill. Reg. 241, effective December 21, 1989; amended at 14 Ill. Reg. 872, effective January 1, 1990; amended at 14 Ill. Reg. 15463, effective September 10, 1990; amended at 14 Ill. Reg. 16028, effective September 18, 1990; amended at 15 Ill. Reg. 6621, effective April 17, 1991; amended at 15 Ill. Reg. 13542, effective August 30, 1991; amended at 15 Ill. Reg. 15757, effective October 15, 1991; amended at 16 Ill. Reg. 1642, effective January 13, 1992; amended at 17 Ill. Reg. 860, effective January 11, 1993; amended at 17 Ill. Reg. 18142, effective October 4, 1993; amended at 17 Ill. Reg. 19651, effective November 2, 1993; amended at 18 Ill. Reg. 1537, effective January 13, 1994; amended at 18 Ill. Reg. 16866, effective November 7, 1994; amended at 19 Ill. Reg. 13446, effective September 12, 1995; amended at 19 Ill. Reg. 13568, effective September 11, 1995; amended at 19 Ill. Reg. 13968, effective September 18, 1995; amended at 20 Ill. Reg. 4428, effective March 4, 1996; amended at 20 Ill. Reg. 5366, effective March 26, 1996; amended at 20 Ill. Reg. 6991, effective May 7, 1996; amended at 20 Ill. Reg. 9116, effective July 2, 1996; amended at 20 Ill. Reg. 15753, effective December 2, 1996; expedited correction at 21 Ill. Reg. 4052, effective December 2, 1996; amended at 20 Ill. Reg. 16200, effective December 16, 1996; amended at 21 Ill. Reg. 12211, effective August 26, 1997; amended at 22 Ill. Reg. 3097, effective January 27, 1998; amended at 22 Ill. Reg. 11874, effective June 29, 1998; amended at 22 Ill. Reg. 19919, effective October 28, 1998; amended at 22 Ill. Reg. 21642, effective November 25, 1998; amended at 23 Ill. Reg. 9526, effective July 29, 1999; amended at 23 Ill. Reg. 9898, effective August 9, 1999; amended at 24 Ill. Reg. 10713, effective July 7, 2000; emergency amendment at 24 Ill. Reg. 11313, effective July 12, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15104, effective October 2, 2000;



## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

amended at 24 Ill. Reg. 18376, effective December 1, 2000; amended at 25 Ill. Reg. 941, effective January 8, 2001; emergency amendment at 25 Ill. Reg. 1792, effective January 16, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 4674, effective March 15, 2001; amended at 25 Ill. Reg. 4950, effective March 19, 2001; amended at 25 Ill. Reg. 5398, effective April 2, 2001; amended at 25 Ill. Reg. 6515, effective May 3, 2001; amended at 25 Ill. Reg. 6713, effective May 9, 2001; amended at 25 Ill. Reg. 7264, effective May 25, 2001; amended at 25 Ill. Reg. 10917, effective August 13, 2001; amended at 25 Ill. Reg. 12341, effective 01-1-2001.

## SUBPART O: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

## Section 130.1501 Claims for Credit--Limitations--Procedure

## a) Limitations Upon Claims

1) Where a taxpayer under the Retailers' Occupation Tax Act pays to the Department an amount of tax or penalty or interest not due under the provisions of the Act, either as the result of a mistake of fact or an error of law, such taxpayer may file a claim for credit with the Department. Beginning August 17, 1995, tax is deemed to be erroneously paid by a retailer when the manufacturer of a motor vehicle sold by the retailer accepts the return of that automobile and refunds to the purchaser the purchase price of the vehicle, as provided in Section 3 of the New Vehicle Buyer Protection Act [815 ILCS 380/3]. The claim is limited to taxes applicable to the purchase price of the automobile refunded to the consumer, which includes all collateral charges required to be included in the sales tax calculation (e.g., documentary fees), but does not include any reasonable allowance for consumer use of the automobile deducted from the purchase price by the manufacturer. Retailers filing such claims must comply with all requirements of this Section.

2) The Department cannot approve any claim for credit unless the proof submitted in support thereof clearly establishes that the claimant has borne the burden of the tax erroneously paid or that he has unconditionally repaid the amount of the tax to his vendee from whom he has collected such amount. In the latter event, the claimant must also prove that his vendee has borne the burden of such amount or has unconditionally repaid persons to whom such vendee has shifted the burden of such amount (see Section 6 of the Retailers' Occupation Tax Act).

3) In addition, if the Retailers' Occupation Tax was paid on receipts from a sale made on or after August 1, 1955, no credit shall be allowed for any such amount paid by or collected from any claimant unless it shall appear that the claimant has unconditionally repaid, to the purchaser, any amount collected from the purchaser and retained by the claimant with respect to the same transaction under the Use Tax Act.

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

4) The Department cannot approve any claim for credit to the extent that the amount claimed is an amount which has been paid (voluntarily or involuntarily) in total or partial liquidation of an assessment which had become final before the claim for credit to recover the amount so paid is filed with the Department, or if paid in total or partial liquidation of a judgment, order or decree of court. Also, all claims for credit are subject to the statute of limitations, as follows:  
Provided that as to any claim for credit filed with the Department on and after each January 1 and July 1 no amount of tax or penalty or interest erroneously paid (either in total or partial liquidation of a tax or penalty or amount of interest under the Act) more than 3 years prior to such January 1 and July 1, respectively, shall be credited; . . . except that if both the Department and the taxpayer have agreed to an extension of time to issue a notice of tax liability as provided in Section 4 of the Act, such claim may be filed at any time prior to the expiration of the period agreed upon. (Section 6 of the Act)  
This means that the normal statute of limitations will vary from 3 to 3 1/2 years as shown in the following examples:

A) On June 29, 1999 a taxpayer files a claim with the Department. The credit may be allowed for amounts paid on or after January 1, 1996. The credit will not be allowed for amounts paid on or before December 31, 1995.

B) A taxpayer files a claim with the Department on July 2, 1999. In this case, amounts paid on or before June 30, 1996 were paid more than three years prior to July 1, 1999 and are not subject to refund.

C) A taxpayer files a claim on November 30, 1999 for the months of October through December 1996. The claim will be processed by the Department because the time period that is open under the statute of limitations extends back through July 1, 1996.

D) A taxpayer files a claim on January 5, 2000 for the month of October 1996 that was paid on November 20, 1996. The claim will not be approved by the Department because it is barred by the statute of limitations. A claim filed on January 5, 2000 only has open periods back through January 1, 1997.

## b) Filing of Claims

1) Claims for credit shall be prepared and filed upon forms provided by the Department. Each claim shall state:

- A) the name and principal business address of the claimant;
- B) the period covered by the claim;
- C) the total amount of credit claimed, giving in detail the net amount of taxable receipts reported each month or other return period used by the claimant as the basis for filing returns in the period covered by the claim;
- D) the total amount of tax paid for each return period;

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

- E) receipts upon which tax liability is admitted for each return period;
- F) the amount of receipts on which credit is claimed for each return period;
- G) the tax due for each return period as corrected;
- H) the amount of credit claimed for each return period;
- I) reason or reasons why the amount, for which the claim is filed, is alleged to have been paid in error;
- J) a list of the evidence (documentary or otherwise) which the claimant has available to establish his compliance with Section 6 as to bearing the burden of the tax for which he seeks credit;
- K) payments or parts thereof (if any) included in the claim and paid by the claimant under protest;
- L) sufficient information to identify any suit which involves the Act, and to which the claimant is a party; and
- M) such other information as the Department may reasonably require.
- 2) Where the claimant is a corporation, the claim filed on behalf of such corporation shall be signed by the president, vice-president, secretary or treasurer or by the properly accredited agent of such corporation.
- 3) A claim for credit shall be considered to have been filed with the Department on the date upon which it is received by the Department. (See Sections 130.1201 and 130.1205 of this Part for further information regarding when claims are deemed to be "received" by the Department.)
- 4) Upon receipt of any claim for credit filed under the Act, any officer or employee of the Department, authorized in writing by the Director of Revenue to acknowledge receipt of such claims on behalf of the Department, shall execute on behalf of the Department, and shall deliver or mail to the claimant or his duly authorized agent, a written receipt, acknowledging that the claim has been filed with the Department, describing the claim in sufficient detail to identify it and stating the date upon which the claim was received by the Department.
- 5) Such written receipt shall be prima facie evidence that the Department received the claim described in such receipt and shall be prima facie evidence of the date when such claim was received by the Department.
- 6) In the absence of such a written receipt, the records of the Department as to when the claim was received by the Department, or as to whether or not the claim was received at all by the Department, shall be deemed to be prima facie correct upon these questions in the event of any dispute between the claimant (or his legal representative) and the Department concerning these questions. (See Section 6a of the Act.)
- c) Procedure After Filing of Claims

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

- 1) The Department will examine each claim for credit as soon as practicable after such claim is filed and will notify the claimant (or his legal representative, if the claim is filed by such legal representative, or if the claimant has died or become incompetent and such legal representative has notified the Department of his appointment and qualification as such legal representative, or if the Department, on its own motion, has substituted such legal representative in the proceeding for the deceased or incompetent claimant) of its Tentative Determination of the amount of credit, if any, to which the claimant or his legal representative is entitled.
- 2) If such claimant, or the legal representative of a deceased or incompetent taxpayer, shall, within 60 days after the Department's Notice of Tentative Determination of Claim, file a protest and request a hearing, the Department shall give notice to the claimant, or to the legal representative of a deceased or incompetent taxpayer, of the time and place fixed for the hearing, and shall hold a hearing in conformity with the provisions of the Act, and pursuant thereto shall issue its Final Determination of the amount of credit, if any, found to be due as a result of the hearing, to the claimant, or to the legal representative of a deceased or incompetent taxpayer.
- 3) If a protest to the Department's Notice of Tentative Determination of Claim is not filed within 60 days and a request for a hearing is not made as provided in subsection (c)(2), the Notice shall thereupon become and operate as a Final Determination. (See Sections 6b and 6c of the Act.)
- 4) If, following the above procedure, a credit is found to be due, as evidence thereof a credit memorandum for such amount shall be issued in the name of the claimant.
- d) Credit Memoranda in Amounts Less Than \$10. Where a credit memorandum issued by the Department has an outstanding balance of less than \$10 and one year or more has passed from the date of issuance of the credit memorandum, the Department may cancel the credit memorandum and issue a refund in lieu thereof for the remaining balance. The refund shall be delivered to the person entitled to receive delivery thereof.
- d) ~~Use of Credit Memoranda to Satisfy Prior Rights of Department~~  
~~1) If following the above procedure, a credit is found to be due as evidence thereof a credit memorandum for such amount shall be issued in the name of the claimant.~~
- e) Use of Credit Memoranda or Refund Issued in Lieu Thereof to Satisfy Prior Rights of Department  
~~1) If there is an established unpaid assessment or an admitted unpaid liability, or unpaid penalty, or unpaid amount of interest, against the claimant either under the Retailers' Occupation Tax Act, the Use Tax Act, the Service Occupation Tax Act, the Service Use Tax Act, any local Occupation or Use Tax administered by the Department, Section 4 of the Water Commission~~



## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

Act of 1985 [70 ILCS 3720/4], Section 5.01(b), (c) and (d) of the Local Mass Transit District Act [70 ILCS 3610/5.01], or Section 4.03(e), (f) and (g) of the Regional Transportation Authority Act [70 ILCS 3615/4.03], the amount of the credit or refund issued in lieu thereof shall be credited against the tax or penalty or interest due or to become due under the Retailers' Occupation Tax Act, or under the Use Tax Act, the Service Occupation Tax Act, the Service Use Tax Act, the Home Rule Municipal Retailers' Occupation Tax Act, the Non-Home Rule Municipal Retailers' Occupation Tax Act, any local Occupation or Use Tax administered by the Department, Section 4 of the Water Commission Act of 1985, Section 5.01(b), (c) and (d) of the Local Mass Transit District Act, or Section 4.03(e), (f) and (g) of the Regional Transportation Authority Act, from the person who made the erroneous payment.

2)37 If the credit or refund issued in lieu thereof is in an amount less than that of the unpaid liability, it shall be applied pro tanto.

3)47 If the amount of the credit or refund issued in lieu thereof exceeds that of the unpaid liability, after crediting an amount sufficient to liquidate or cancel out such unpaid liability, a new credit memorandum or refund shall be issued for an amount representing the difference between that of the original credit found to be due and that of the liability liquidated or paid as aforesaid, and such new credit memorandum or refund shall be delivered to the person entitled to receive delivery thereof, provided that no proceeding is pending against the claimant to establish an unpaid liability under the Retailers' Occupation Tax Act, the Use Tax Act, the Service Occupation Tax Act, the Service Use Tax Act, any local Occupation or Use Tax administered by the Department, Section 4 of the Water Commission Act of 1985, Section 5.01(b), (c) and (d) of the Local Mass Transit District Act, or Section 4.03(e), (f) and (g) of the Regional Transportation Authority Act.

4)57 If a proceeding to establish such an unpaid liability is pending, the credit memorandum or refund in lieu thereof shall be held by the Department until such proceeding is concluded; and if such proceeding results in the issuance of an assessment which becomes final, the credit or refund in lieu thereof shall be applied by the Department, to the extent which may be necessary, in liquidation of such assessment, or any interest that may accrue thereon, and the balance of the credit or refund in lieu thereof, if any (after cancellation of the credit memorandum or refund in lieu thereof applied in liquidation of such liability), shall be issued in the form of a new credit memorandum or refund and delivered to the person entitled to receive delivery thereof.

(Source: Amended at 25 Ill. Reg. 12841 effective

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

OCT - 1 2001

## Section 130.1505 Disposition of Credit Memoranda by Holders Thereof

## a) Assignment of Credit Memoranda

1) Credit memoranda issued in accordance with the provisions of Section 6 of the Act may be assigned or transferred only after a request for that purpose is filed with the Department upon forms prescribed and furnished by it, and subject to the following conditions:

A) That the assignment is made to a person who is subject to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Occupation Tax Act, the Service Use Tax Act, the Home Rule Municipal Retailers' Occupation Tax Act, the Non-Home Rule Municipal Retailers' Occupation Tax Act, the Home Rule Municipal Service Occupation Tax Act, the Non-Home Rule Municipal Service Occupation Tax Act, the Home Rule County Retailers' Occupation Tax Act, the County Supplementary Retailers' Occupation Tax Act, the Home Rule County Service Occupation Tax Act, Section 4 of the Water Commission Act of 1985, subsections (b), (c) and (d) of Section 5.01 of the Local Mass Transit District Act, or subsections (e), (f) and (g) of Section 4.03 of the Regional Transportation Authority Act;

B) that there is no proceeding pending to establish an unpaid liability against the assignor pursuant to notice given of the Department's proposal to assess an amount against him either under the Retailers' Occupation Tax Act, the Use Tax Act, the Service Occupation Tax Act, the Service Use Tax Act, the Home Rule Municipal Retailers' Occupation Tax Act, the Non-Home Rule Municipal Retailers' Occupation Tax Act, the Home Rule Municipal Service Occupation Tax Act, the Non-Home Rule Municipal Service Occupation Tax Act, Section 4 of the Water Commission Act of 1985, subsections (b), (c) and (d) of Section 5.01 of the Local Mass Transit District Act, or subsections (e), (f) and (g) of Section 4.03 of the Regional Transportation Authority Act, and

C) that there is no established assessment or admitted liability or interest or penalty unpaid by the assignor, either under the Retailers' Occupation Tax Act, the Use Tax Act, the Service Occupation Tax Act, the Service Use Tax Act, the Home Rule Municipal Retailers' Occupation Tax Act, the Non-Home Rule Municipal Retailers' Occupation Tax Act, the Home Rule Municipal Service Occupation Tax Act, the Non-Home Rule Municipal Service Occupation Tax Act, the Home Rule County Retailers' Occupation Tax Act, the Home Rule County Service Occupation Tax Act, Section 4 of the Water Commission Act of 1985, subsections (b), (c) and (d) of



## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

Section 5.01 of the Local Mass Transit District Act, or subsections (e), (f) and (g) of Section 4.03 of the Regional Transportation Authority Act: Provided that if the amount of the credit memorandum must first be applied, in whole or in part, against an established unpaid assessment which has been issued to the claimant-assignor, or in total or partial liquidation of an unpaid admitted tax liability, or unpaid penalty, or unpaid amount of interest, of the claimant-assignor, notice to this effect shall be given to the claimant-assignor by the Department.

- 2) If any balance is due such claimant-assignor, after application of the credit memorandum in the manner and to the purposes aforesaid, such balance may be assigned upon receipt by the Department of instructions to that effect. If there are no unpaid established assessments or unpaid admitted tax liabilities, or unpaid penalties, or unpaid amounts of interest, due from the claimant-assignor, and if there are no pending proceedings as herein outlined, against the claimant-assignor, and if the contemplated assignee is a person who is subject to the Retailers' Occupation Tax Act, the Use Tax Act, the Service Occupation Tax Act, the Home Rule Use Tax Act, the Home Rule Municipal Retailers' Occupation Tax Act, the Non-Home Rule Municipal Retailers' Occupation Tax Act, the Home Rule Municipal Service Occupation Tax Act, the Non-Home Rule Municipal Service Occupation Tax Act, the Home Rule County Retailers' Occupation Tax Act, the Home Rule County Service Occupation Tax Act, Section 4 of the Water Commission Act of 1985, subsections (b), (c) and (d) of Section 5.01 of the Local Mass Transit District Act, or subsections (e), (f) and (g) of Section 4.03 of the Regional Transportation Authority Act, the request for leave to assign shall be approved; the original credit memorandum shall be cancelled, and a new credit memorandum shall be issued to the assignee in the amount shown on the canceled memorandum, except that where the credit balance is in an amount less than \$10, the Department may issue a refund to the claimant-assignor in lieu of approving the assignment and issuing of a credit memorandum to the assignee. However, before a credit memorandum is issued to the assignee, the amount of such credit shall be applied, to the extent that may be necessary, in liquidation of any established or admitted unpaid liability due from the assignee under the Retailers' Occupation Tax Act, the Use Tax Act, the Service Occupation Tax Act, the Service Use Tax Act, Home Rule the Municipal Retailers' Occupation Tax Act, the Non-Home Rule Municipal Retailers' Occupation Tax Act, the Home Rule Municipal Service Occupation Tax Act, the Home Rule County Retailers' Occupation Tax Act, the Home Rule County Service Occupation Tax Act, Section 4 of the Water Commission Act of 1985, subsections (b), (c) and (d) of Section 5.01 of the Local Mass

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

Transit District Act, or subsections (e), (f) and (g) of Section 4.03 of the Regional Transportation Authority Act, and a credit memorandum for the balance of the credit, if any, shall then be issued to the assignee, except that where the balance of the credit is less than \$10, a refund may be issued to the assignee in lieu of a credit memorandum: Provided that there is no proceeding pending against the assignee to establish an unpaid liability against him. If a proceeding to establish such an unpaid liability is pending, the credit memorandum or refund shall be held by the Department until such proceeding is concluded; and if such proceeding results in the issuance of an assessment which becomes final, the credit or refund shall be applied by the Department, to the extent which may be necessary, in liquidation of such assessment, and any interest that may accrue thereon, and the balance of the credit or refund, if any (after cancellation of the credit memorandum or refund applied in liquidation of such liability), shall be issued in the form of a new credit memorandum or refund and delivered to the assignor for transmittal to the assignee.

## b) Submission of Credit Memoranda With Tax Returns

- 1) Credit memoranda, in the hands either of the original claimant or of his assignee, may be submitted to the Department, along with tax returns, in payment of any tax liability or penalty or interest under the Retailers' Occupation Tax Act or the Use Tax Act, the Service Occupation Tax Act, the Service Use Tax Act, the Home Rule Municipal Retailers' Occupation Tax Act, the Non-Home Rule Municipal Retailers' Occupation Tax Act, the Home Rule the Non-Home Municipal Service Occupation Tax Act, Municipal Service Occupation Tax Act, the Home Rule County Service Occupation Tax Act, Section 4 of the Water Commission Act of 1985, subsections (b), (c) and (d) of Section 5.01 of the Local Mass Transit District Act, or subsections (e), (f) and (g) of Section 4.03 of the Regional Transportation Authority Act, incurred by the holder of such credit memoranda.
- 2) If, after applying any such credit memorandum against the amount of liability shown to be due by the tax return with which the credit memorandum is submitted, there is a balance of the credit memorandum in favor of the taxpayer, the Department will cancel the credit memorandum which the taxpayer submits with his return and will issue and deliver to such taxpayer a new credit memorandum for such balance. This process will be followed until the credit, to which such taxpayer is entitled, is exhausted, except that in the event the credit balance drops to an amount less than \$10, the Department may issue a refund of the credit balance to the taxpayer in lieu of a credit memorandum.
- 3) However, any new credit memorandum or refund, which is issued for a balance of credit due the taxpayer after applying the amount of a credit memorandum to the payment of current taxes, is subject

DEPARTMENT OF REVENUE  
NOTICE OF ADOPTED AMENDMENTS

to the prior rights of the Department to the same extent that such prior rights take precedence when a credit memorandum is first issued (see Section 130.1501(d) of this Part) or when leave to assign a credit memorandum is requested (see Section 130.1505(a) of this Part.)

(Source: Amended at 25 Ill. Reg. 128413 effective  
OCT-1-2001)

DEPARTMENT OF STATE POLICE  
NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Individual's Right to Access and Review Criminal History Record Information
- 2) Code Citation: 20 Ill. Adm. Code 1210
- 3) 

<u>Section Numbers:</u>	<u>Adopted Action:</u>
1210.10	New Section
1210.20	New Section
1210.30	New Section
1210.40	New Section
- 4) Statutory Authority: Implementing and authorized by Section 7 of the Criminal Identification Act [20 ILCS 2630/7] and authorized by Section 2605-15 of the Civil Administrative Code of Illinois [20 ILCS 2605/2605-15].
- 5) Effective Date of Rules: October 1, 2001
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 25 Ill. Reg. 7559, June 22, 2001
- 10) Has JCAR issued a Statement of Objection to these rules? No
- 11) Differences between proposal and final version: Editing and formatting changes recommended by JCAR were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were issued.
- 13) Will these rules replace any emergency rules currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules: This rulemaking establishes procedures for accessing and reviewing criminal history record information maintained by the Illinois State Police.
- 16) Information and questions regarding these adopted rules shall be directed to:

## DEPARTMENT OF STATE POLICE

## NOTICE OF ADOPTED RULES

James W. Redlich  
Chief Legal Counsel  
Illinois State Police  
124 East Adams Street, Room 102  
Post Office Box 19461  
Springfield, IL 62794-9461  
Telephone: (217) 524-0346  
Fax: (217) 524-5743

The full text of the adopted rules begins on the next page:

## DEPARTMENT OF STATE POLICE

## NOTICE OF ADOPTED RULES

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT  
CHAPTER II: DEPARTMENT OF STATE POLICE

PART 1210  
INDIVIDUAL'S RIGHT TO ACCESS AND REVIEW  
CRIMINAL HISTORY RECORD INFORMATION

Section	Definitions
1210.10	Definitions
1210.20	Procedures
1210.30	Fee
1210.40	Challenges

AUTHORITY: Implementing and authorized by Section 7 of the Criminal Identification Act [20 ILCS 2630/7] and authorized by Section 2605-15 of the Civil Administrative Code of Illinois [20 ILCS 2605/2605-15].

SOURCE: Adopted at 25 Ill. Reg. 12859, effective 01-1-2001.

## Section 1210.10 Definitions

"Criminal History Record Information" means data identifiable to an individual and consisting of descriptions or notations of arrests, detentions, indictments, information, pretrial proceedings, trials, or other formal events in the criminal justice system or descriptions or notations of criminal charges (including criminal violations of local municipal ordinances) and the nature of any disposition arising therefrom, including sentencing, court of correctional supervision, rehabilitation and release.

"Criminal History Transcript" means a printed record of criminal history record information maintained by the Department with respect to a particular individual.

"Department" means the Illinois Department of State Police.

## Section 1210.20 Procedures

- a) Any individual may approach any Illinois law enforcement or correctional facility during regular business hours for the purpose of obtaining the individual's criminal history transcript.
- b) In response to a request for a criminal history transcript, the facility shall obtain fingerprints from the individual and other identification information.
- c) Within 30 days after the request, the facility shall forward to the Department the fingerprints and identifying information.
- d) Within 60 days after receiving the fingerprints and identifying



## DEPARTMENT OF STATE POLICE

## NOTICE OF ADOPTED RULES

information, the Department shall provide the facility with the individual's criminal history transcript or, if no criminal history is found, a written statement so stating.

- e) The facility shall contact the individual and allow the individual to view the criminal history transcript at the facility.

**Section 1210.30 Fee**

The facility where the request is made may charge a fee of up to the actual cost of processing the request. This fee may be waived.

**Section 1210.40 Challenges**

- a) An individual who believes his or her criminal history transcript is inaccurate may request a correction by submitting a written explanation to the Department.
- b) In the event the Department's response is not satisfactory to the individual, the individual may further pursue the matter using the general hearing procedures established by the Department (see 20 Ill. Adm. Code 1200).

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Administration of the Illinois Public Community College Act
- 2) Code Citation: 23 Ill. Adm. Code 1501
- 3) Section Number: 1501.523  
Emergency Action: New
- 4) Statutory Authority: 110 ILCS 805/2-16.04
- 5) Effective Date of Emergency Amendment: September 28, 2001
- 6) If this Emergency Amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: The emergency amendment will remain in effect for the 150-day period.
- 7) Date filed with the Index Department: September 28, 2001
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Reason for Emergency: The Illinois Community College Board received an appropriation to disburse challenge grants to Illinois community college foundations during fiscal year 2002. Rules must be in place before funds can be disbursed.
- 10) A Complete Description of the Subjects and Issues Involved: The Illinois Community College Board received an appropriation to disburse challenge grants to Illinois community college foundations during fiscal year 2002. Legislation was passed in spring 1999 that allows community college foundations to request a State matching grant of \$2 for every \$3 received in local funds; however, until fiscal year 2002, no appropriation was made to fund this initiative. In order to receive applications and distribute grant funds, it is necessary to have rules in place.
- 11) Are there any other proposed amendments to this Part pending? No
- 12) Statement of Statewide Policy Objectives: These amendments do not create or expand a state mandate.
- 13) Information and questions regarding this Emergency Amendment shall be directed to:

Cherie VanMeter  
Administrative Aide  
Illinois Community College Board  
401 East Capitol Avenue

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF EMERGENCY AMENDMENTS

Springfield, Illinois 62701-1711  
Telephone: (217) 785-0053  
Fax: (217) 524-6195

The full text of the Emergency Amendment begins on the next page.

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF EMERGENCY AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES  
SUBTITLE A: EDUCATION  
CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

## PART 1501

## ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

## SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

Section	
1501.101	Definition of Terms
1501.102	Advisory Groups
1501.103	Rule Adoption (Recodified)
1501.104	Manuals
1501.105	Advisory Opinions
1501.106	Executive Director
1501.107	Information Request (Recodified)
1501.108	Organization of ICCB (Recodified)
1501.109	Appearance at ICCB Meetings
1501.110	Appeal Procedure
1501.111	Reporting Requirements (Repealed)
1501.112	Certification of Organization (Repealed)
1501.113	Administration of Detachments and Subsequent Annexations
1501.114	Recognition

## SUBPART B: LOCAL DISTRICT ADMINISTRATION

Section	
1501.201	Reporting Requirements
1501.202	Certification of Organization
1501.203	Delineation of Responsibilities
1501.204	Maintenance of Documents or Information
1501.205	Recognition Standards (Repealed)

## SUBPART C: PROGRAMS

Section	
1501.301	Definition of Terms
1501.302	Units of Instruction, Research, and Public Service
1501.303	Program Requirements
1501.304	Statewide and Regional Planning
1501.305	College, Branch, Campus, and Extension Centers
1501.306	State or Federal Institutions (Repealed)
1501.307	Cooperative Agreements and Contracts
1501.308	Reporting Requirements
1501.309	Course Classification and Applicability

## SUBPART D: STUDENTS

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF EMERGENCY AMENDMENTS

Section	
1501.401	Definition of Terms
1501.402	Admission of Students
1501.403	Student Services
1501.404	Academic Records
1501.405	Student Evaluation
1501.406	Reporting Requirements

## SUBPART E: FINANCE

Section	
1501.501	Definition of Terms
1501.502	Financial Planning
1501.503	Audits
1501.504	Budgets
1501.505	Student Tuition
1501.506	Published Financial Statements
1501.507	Credit Hour Grants
1501.508	Special Populations Grants
1501.509	Workforce Preparation Grants
1501.510	Reporting Requirements
1501.511	Chart of Accounts
1501.514	Business Assistance Grants (Repealed)
1501.515	Advanced Technology Equipment Grants
1501.516	Capital Renewal Grants
1501.517	Retirees Health Insurance Grants
1501.518	Uncollectible Debts
1501.520	Lincoln's Challenge Grants
1501.521	Technology Enhancement Grants
1501.522	Deferred Maintenance Grants
1501.523	<u>Foundation Matching Grants</u>

EMERGENCY

## SUBPART F: CAPITAL PROJECTS

Section	
1501.601	Definition of Terms
1501.602	Approval of Capital Projects
1501.603	State Funded Capital Projects
1501.604	Locally Funded Capital Projects
1501.605	Project Changes
1501.606	Progress Reports (Repealed)
1501.607	Reporting Requirements
1501.608	Approval of Projects in Section 3-20.3.01 of the Act
1501.609	Completion of Projects Under Section 3-20.3.01 of the Act
1501.610	Demolition of Facilities

## SUBPART G: STATE COMMUNITY COLLEGE

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF EMERGENCY AMENDMENTS

Section	
1501.701	Definitions of Terms
1501.702	Applicability
1501.703	Recognition
1501.704	Programs
1501.705	Finance
1501.706	Personnel
1501.707	Facilities

## SUBPART H: PERSONNEL

Section	
1501.801	Definition of Terms
1501.802	Sabbatical Leaves

**AUTHORITY:** Implementing and authorized by Articles II and III and Section 6-5.3 of the Public Community College Act [110 ILCS 805/Arts. II and III and 6-5.3].

**SOURCE:** Adopted at 6 Ill. Reg. 14262, effective November 3, 1982; codified at 7 Ill. Reg. 2332; amended at 7 Ill. Reg. 16118, effective November 22, 1983; Sections 1501.103, 1501.107 and 1501.108 recodified to 2 Ill. Adm. Code 5175 at 8 Ill. Reg. 6032; amended at 8 Ill. Reg. 14262, effective July 25, 1984; amended at 8 Ill. Reg. 19383, effective September 28, 1984; emergency amendment at 8 Ill. Reg. 22603, effective November 7, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 24299, effective December 5, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3691, effective March 13, 1985; amended at 9 Ill. Reg. 9470, effective June 11, 1985; amended at 9 Ill. Reg. 16813, effective October 21, 1985; amended at 10 Ill. Reg. 3612, effective January 31, 1986; amended at 10 Ill. Reg. 14658, effective August 22, 1986; amended at 11 Ill. Reg. 7606, effective April 8, 1987; amended at 11 Ill. Reg. 18150, effective October 27, 1987; amended at 12 Ill. Reg. 6660, effective March 25, 1988; amended at 12 Ill. Reg. 15973, effective September 23, 1988; amended at 12 Ill. Reg. 16699, effective September 23, 1988; amended at 12 Ill. Reg. 19691, effective November 15, 1988; amended at 13 Ill. Reg. 1182, effective January 13, 1989; amended at 13 Ill. Reg. 14904, effective September 12, 1989; emergency amendment at 14 Ill. Reg. 299, effective November 9, 1989, for a maximum of 150 days; emergency amendment expired on April 9, 1990; amended at 14 Ill. Reg. 4126, effective March 1, 1990; amended at 14 Ill. Reg. 10762, effective June 25, 1990; amended at 14 Ill. Reg. 11771, effective July 9, 1990; amended at 14 Ill. Reg. 13997, effective August 20, 1990; expedited correction at 18 Ill. Reg. 3027, effective August 20, 1990; amended at 15 Ill. Reg. 10929, effective July 11, 1991; amended at 16 Ill. Reg. 12445, effective July 24, 1992; amended at 16 Ill. Reg. 17621, effective November 6, 1992; amended at 17 Ill. Reg. 1853, effective February 2, 1993; amended at 18 Ill. Reg. 4635, effective March 9, 1994; amended at 18 Ill. Reg. 8906, effective June 1, 1994; amended at 19 Ill. Reg. 2299, effective February 14, 1995; amended at 19 Ill. Reg. 2816, effective February 21, 1995; amended at 19 Ill.



## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF EMERGENCY AMENDMENTS

Reg. 7515, effective May 26, 1995; amended at 21 Ill. Reg. 5891, effective April 22, 1997; amended at 22 Ill. Reg. 2087, effective January 12, 1998; amended at 22 Ill. Reg. 17472, effective July 10, 1998; amended at 24 Ill. Reg. 249, effective December 21, 1999; amended at 24 Ill. Reg. 17522, effective November 20, 2000; amended at 25 Ill. Reg. 7161, effective June 8, 2001; emergency amendment at 25 Ill. Reg. 12863, effective September 28, 2001; for a maximum of 150 days.

## SUBPART E: FINANCE

**Section 1501.523 Foundation Matching Grants**  
**EMERGENCY**

a) An eligible Community College foundation, as referred to in this subsection, is defined as a 501(c)(3) entity formed to benefit a community college district, students, and taxpayers of a community college district as provided for in the Public Community College Act and meets the criteria to receive an award as provided for in this Section. A foundation shall establish its eligibility by submitting a copy of its articles of incorporation (the first year of application only), a copy of its most recent signed federal 990 tax return and a copy of the foundation's most recently completed external audit with the other components of an application.

b) Requests for foundation matching grant awards (referred to in this Section as challenge grants) must be submitted in a format prescribed by the ICCB no later than December 1 of each year.

c) Each community college foundation shall have the opportunity to apply for a \$25,000 challenge grant. The award amount shall be prorated to a reduced amount if sufficient funds are not available in the State's Academic Improvement Trust Fund to provide an initial grant of \$25,000 to those eligible foundations that submit an application no later than December 1.

d) In order to be eligible to receive a challenge grant, the community college foundation board must establish, as part of the application process, that the foundation board has:

1) established an academic improvement trust fund as a depository for private contributions and awarded challenge grants, and

2) \$3 of local match available (contributions received after July 1, 1999, for the purpose of matching the State challenge grants) for each \$2 of State funds, and

3) raised a minimum of \$10,000 from private sources and the contributions must be in excess of the total average annual cash contributions made to the community college foundation in the three fiscal years before July 1, 1999 (fiscal years 1997, 1998, 1999).

e) Any unmatched excess funds remaining in the State's Academic Improvement Trust Fund, on April 1st of the fiscal year in which an appropriation is received, for community college foundations after the

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF EMERGENCY AMENDMENTS

award of the initial \$25,000 challenge grants will be available for matching by any community college foundation. No community college foundation will receive more than \$100,000 in challenge grants in any one State fiscal year.

f) The community college foundation board is responsible for determining the use of the proceeds of the challenge grants and such uses may include:

- 1) scientific equipment;
- 2) professional development and training for faculty; and
- 3) student scholarships and other activities appropriate to improving the quality of education at the community college. The community college foundation may not use the proceeds of the challenge grant for a capital campaign or program.

g) Each community college foundation receiving grant funds shall file a report with the ICCB in a format prescribed by the ICCB detailing how the funds were utilized within 60 days of the foundation's fiscal year end and submit a copy of the external audit of the fiscal year just ended as soon as it is completed.

(Source: Added by emergency rulemaking at 25 Ill. Reg. 12863, effective September 28, 2001, for a maximum of 150 days)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Hospital Services
- 2) Code Citation: 89 Ill. Adm. Code 148
- 3) Section Numbers: Emergency Action:  
148.295 Amendment  
148.296 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13], Public Act 92-0008 and Public Act 92-0010
- 5) Effective Date: October 1, 2001
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable
- 7) Date Filed with the Index Department: October 1, 2001
- 8) A copy of the emergency amendment, including any materials incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Reason for Emergency: These emergency amendments are being filed pursuant to the Governor's fiscal year 2002 budget plan and the enactment of the State's budget by the Legislature. The amendments pertain to payment methodologies for hospitals and will result in reimbursement increases under Critical Hospital Adjustment Payments (CHAP) and Tertiary Care Adjustment Payments. These changes will ensure continued access to essential hospital services in the Department's Medical Assistance Program. Emergency rulemaking is specifically authorized for the implementation of these changes by Section 5-45 of Public Act 92-0010.

- 10) Complete Description of the Subjects and Issues Involved: These emergency amendments to the Department's rules concerning hospital services are necessary to implement payment methodology changes as required by the State's fiscal year 2002 budget plan. The amendments will result in the augmentation of certain inpatient reimbursement levels under Critical Hospital Adjustment Payments and Tertiary Care Adjustment Payments.

Under CHAP, the Direct Hospital Adjustment (DHA) eligibility criteria are being expanded to include a greater number of hospitals on the basis of Medicaid Inpatient Utilization Rates (MIUR), total days of care provided and, in some cases, the provision of obstetrical care. Additionally, certain DHA rates will be increased, some hospitals that have not benefitted from DHA rates will begin receiving such adjustments, and other adjustments will be provided on the basis of factors including Perinatal

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

Level status, average length of stay and MIUR. For fiscal year 2002, quarterly expenditures are expected to increase by approximately \$4.7 million on the basis of these changes.

Under Tertiary Care Adjustment Payments, which are provided for higher level and complex medical care, emergency changes are being made concerning rates for out of State children's hospitals. For such hospitals, a lower day threshold of 1,001 Qualified Days will allow for greater adjustment payment levels for qualifying hospitals. For fiscal year 2002, these changes are expected to result in an increase in quarterly expenditures of approximately \$300,000.

- 11) Are there any other amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
148.285	Amendment	June 22, 2001 (25 Ill. Reg. 7536)
148.410	New Section	August 10, 2001 (25 Ill. Reg. 9827)
148.420	New Section	August 10, 2001 (25 Ill. Reg. 9827)
148.500	New Section	October 5, 2001 (25 Ill. Reg. 12517)
148.510	New Section	October 5, 2001 (25 Ill. Reg. 12517)
148.600	New Section	October 5, 2001 (25 Ill. Reg. 12517)
148.610	New Section	October 5, 2001 (25 Ill. Reg. 12517)
148.620	New Section	October 5, 2001 (25 Ill. Reg. 12517)
148.630	New Section	October 5, 2001 (25 Ill. Reg. 12517)
148.640	New Section	October 5, 2001 (25 Ill. Reg. 12517)
148.TABLE A	New Section	October 5, 2001 (25 Ill. Reg. 12517)
148.TABLE B	New Section	October 5, 2001 (25 Ill. Reg. 12517)
148.TABLE C	New Section	October 5, 2001 (25 Ill. Reg. 12517)

- 12) Statement of Statewide Policy Objectives: These emergency amendments neither create nor expand any state mandates affecting units of local government.

- 13) Information and questions regarding this amendment shall be directed to:

Joanne Jone  
Office of the General Counsel, Rules Section  
Illinois Department of Public Aid  
201 South Grand Avenue East, Third Floor  
Springfield, Illinois 62763-0002  
(217) 524-0081

The full text of the emergency amendments begins on the next page:



## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMS

PART 148  
HOSPITAL SERVICES

Section	
148.10	Hospital Services
148.20	Participation
148.25	Definitions and Applicability
148.30	General Requirements
148.40	Special Requirements
148.50	Covered Hospital Services
148.60	Services Not Covered as Hospital Services
148.70	Limitation On Hospital Services
148.80	Organ Transplant Services Covered Under Medicaid (Repealed)
148.82	Organ Transplant Services
148.90	Heart Transplants (Repealed)
148.100	Liver Transplants (Repealed)
148.110	Bone Marrow Transplants (Repealed)
148.120	Disproportionate Share Hospital (DSH) Adjustments
148.130	Outlier Adjustments for Exceptionally Costly Stays
148.140	Hospital Outpatient and Clinic Services
148.150	Public Law 103-66 Requirements
148.160	Payment Methodology for County-Owned Hospitals in an Illinois County with a Population of Over Three Million
148.170	Payment Methodology for Hospitals Organized Under the University of Illinois Hospital Act
148.175	Supplemental Disproportionate Share Payment Methodology for Hospitals Organized Under the Town Hospital Act
148.180	Payment for Pre-operative Days, Patient Specific Orders, and Services Which Can Be Performed in an Outpatient Setting
148.190	Copayments
148.200	Alternate Reimbursement Systems
148.210	Filing Cost Reports
148.220	Pre September 1, 1991 Admissions
148.230	Admissions Occurring on or after September 1, 1991
148.240	Utilization Review and Furnishing of Inpatient Hospital Services Directly or Under Arrangements
148.250	Determination of Alternate Payment Rates to Certain Exempt Hospitals
148.260	Calculation and Definitions of Inpatient Per Diem Rates
148.270	Determination of Alternate Cost Per Diem Rates for All Hospitals; Payment Rates for Certain Exempt Hospital Units; and Payment Rates for Certain Other Hospitals
148.280	Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements
148.285	Excellence in Academic Medicine Payments

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

148.290	Adjustments and Reductions to Total Payments
148.295	Critical Hospital Adjustment Payments (CHAP)
EMERGENCY	
148.296	Tertiary Care Adjustment Payments
EMERGENCY	
148.297	Pediatric Outpatient Adjustment Payments
148.298	Pediatric Inpatient Adjustment Payments
148.300	Payment
148.310	Review Procedure
148.320	Alternatives
148.330	Exemptions
148.340	Subacute Alcoholism and Substance Abuse Treatment Services
148.350	Definitions (Repealed)
148.360	Types of Subacute Alcoholism and Substance Abuse Treatment Services (Repealed)
148.368	Volume Adjustment (Repealed)
148.370	Payment for Subacute Alcoholism and Substance Abuse Treatment Services
148.380	Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services (Repealed)
148.390	Hearings
148.400	Special Hospital Reporting Requirements

AUTHORITY: Implementing and authorized by Articles III, IV, V, VI, and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective August 9, 1991, for a maximum of 150 days; emergency expired January 6, 1992; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18684, effective December 23, 1991; amended at 16 Ill. Reg. 6255, effective March 27, 1992; emergency amendment at 16 Ill. Reg. 11335, effective June 30, 1992, for a maximum of 150 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. Reg. 11942, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19873, effective December 7, 1992; amended at 17 Ill. Reg. 131, effective December 21, 1992; amended at 17 Ill. Reg. 3296, effective March 1, 1993; amended at 17 Ill. Reg. 6649, effective April 21, 1993; amended



## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

at 17 Ill. Reg. 14643, effective August 30, 1993; emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3450, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 12853, effective August 2, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 14117, effective September 1, 1994; amended at 18 Ill. Reg. 17648, effective November 29, 1994; amended at 19 Ill. Reg. 1067, effective January 20, 1995; emergency amendment at 19 Ill. Reg. 3510, effective March 1, 1995, for a maximum of 150 days; emergency expired July 29, 1995; emergency amendment at 19 Ill. Reg. 6709, effective May 12, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10060, effective June 29, 1995; emergency amendment at 19 Ill. Reg. 10752, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13009, effective September 5, 1995; amended at 19 Ill. Reg. 16630, effective November 28, 1995; amended at 20 Ill. Reg. 872, effective December 29, 1995; amended at 20 Ill. Reg. 7912, effective May 31, 1996; emergency amendment at 20 Ill. Reg. 9281, effective July 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 12510, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 15722, effective November 27, 1996; amended at 20 Ill. Reg. 15722, effective November 27, 1996; amended at 21 Ill. Reg. 607, effective January 2, 1997; amended at 21 Ill. Reg. 8386, effective June 23, 1997; emergency amendment at 21 Ill. Reg. 9552, effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9822, effective July 2, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 10147, effective August 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 13349, effective September 23, 1997; emergency amendment at 21 Ill. Reg. 13675, effective September 27, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 16161, effective November 26, 1997; amended at 22 Ill. Reg. 1408, effective December 29, 1997; amended at 22 Ill. Reg. 3083, effective January 26, 1998; amended at 22 Ill. Reg. 11514, effective June 22, 1998; emergency amendment at 22 Ill. Reg. 13070, effective July 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 15027, effective August 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16273, effective August 28, 1998; amended at 22 Ill. Reg. 21490, effective November 25, 1998; amended at 23 Ill. Reg. 5784, effective April 30, 1999; amended at 23 Ill. Reg. 7115, effective June 1, 1999; amended at 23 Ill. Reg. 7908, effective June 30, 1999; emergency amendment at 23 Ill. Reg. 8213, effective July 1, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 12772, effective October 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13621, effective November 1, 1999; amended at 24 Ill. Reg. 2400, effective February 1, 2000; amended at 24 Ill. Reg. 3845, effective February 25, 2000; emergency amendment at 24 Ill. Reg. 10386, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 11846, effective August 1, 2000; amended at 24 Ill. Reg. 16067, effective October 16, 2000; amended at 24 Ill. Reg. 17146, effective November 1, 2000; amended at 24 Ill. Reg. 18293, effective December 1, 2000; amended at 25 Ill. Reg. 5359, effective April 1, 2001; emergency amendment at 25 Ill. Reg. 5432, effective April 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 6959, effective June 1, 2001; emergency amendment at 25 Ill. Reg. 9974, effective July 23, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 10513, effective August 2, 2001;

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

emergency amendment at 25 Ill. Reg. 12870, effective October 1, 2001, for a maximum of 150 days.

### Section 148.295 Critical Hospital Adjustment Payments (CHAP) EMERGENCY

Critical Hospital Adjustment Payments (CHAP) shall be made to all eligible hospitals excluding county-owned hospitals, as described in Section 148.25 (b)(1)(A), unless otherwise noted in this Section, and hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B), for inpatient admissions occurring on or after July 1, 1998, in accordance with this Section. The provisions described in subsection (c) of this Section will be effective for the period October 1, 2001, through December 31, 2001.

#### a) Trauma Center Adjustments (TCA)

The Department shall make a trauma center adjustment (TCA) to Illinois hospitals recognized, as of the first day of July in the CHAP rate period, as a Level I or Level II trauma center by the Illinois Department of Public Health (IDPH) in accordance with the provisions of subsections (a)(1) through (a)(3) of this Section below.

##### 1) Level I Trauma Center Adjustment (TCA).

A) Criteria. Illinois hospitals that, on the first day of July in the CHAP rate period, are recognized as a Level I trauma center by the Illinois Department of Public Health shall receive the Level I trauma center adjustment.

B) Adjustment. Illinois hospitals meeting the criteria specified in subsection (a)(1)(A) of this Section above shall receive an adjustment as follows:

i) Hospitals with Medicaid trauma admissions equal to or greater than the mean Medicaid trauma admissions, for all hospitals qualifying under subsection (a)(1)(A) of this Section above, shall receive an adjustment of \$21,365 per Medicaid trauma admission in the CHAP base period.

ii) Hospitals with Medicaid trauma admissions less than the mean Medicaid trauma admissions, for all hospitals qualifying under subsection (a)(1)(A) of this Section above, shall receive an adjustment of \$14,165 per Medicaid trauma admission in the CHAP base period.

2) Level II Rural Trauma Center Adjustment (TCA). Illinois rural hospitals, as defined in Section 148.25(g)(3), that, on the first day of July in the CHAP rate period, are recognized as a Level II trauma center by the Illinois Department of Public Health shall receive an adjustment of \$11,565 per Medicaid trauma admission in the CHAP base period.

3) Level II Urban Trauma Center Adjustment (TCA). Illinois urban hospitals, as described in Section 148.25(g)(4), that, on the first day of July in the CHAP rate period, are recognized as

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

Level II trauma centers by the Illinois Department of Public Health shall receive an adjustment of \$11,565 per Medicaid trauma admission in the CHAP base period, provided that such hospital meets the criteria described below:

- A) The hospital is located in a county with no Level I trauma center; and
- B) The hospital is located in a Health Professional Shortage Area (HPSA) (42 CFR 5), as of the first day of July in the CHAP rate period, and has a Medicaid trauma admission percentage at or above the mean of the individual facility values determined in subsection (a)(3) of this Section above; or the hospital is not located in a HPSA (42 CFR 5) and has a Medicaid trauma admission percentage that is at least the mean plus one standard deviation of the individual facility values determined in subsection (a)(3) of this Section above.

## b) Rehabilitation Hospital Adjustment (RHA)

Illinois hospitals that, on the first day of July in the CHAP rate period, qualify as rehabilitation hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(2), and that are accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF), shall receive a rehabilitation hospital adjustment in the CHAP rate period that consists of the following three components:

- 1) Treatment Component. All hospitals defined in subsection (b) of this Section above shall receive \$4,595 per Medicaid Level I rehabilitation admission in the CHAP base period.

- 2) Facility Component. All hospitals defined in subsection (b) of this Section above shall receive a facility component that shall be based upon the number of Medicaid Level I rehabilitation admissions in the CHAP base period as follows:

- A) Hospitals with fewer than 60 Medicaid Level I rehabilitation admissions in the CHAP base period shall receive a facility component of \$250,000 in the CHAP rate period.

- B) Hospitals with 60 or more Medicaid Level I rehabilitation admissions in the CHAP base period shall receive a facility component of \$575,000 in the CHAP rate period.

- 3) Health Professional Shortage Area Adjustment Component. Hospitals defined in subsection (b) of this Section above, that are located in an a-Health-Professional-Shortage-Area (HPSA) (42 CFR 5) on July 1, 1999, shall receive \$300 per Medicaid Level I rehabilitation inpatient day in the CHAP base period.

## c) Direct-Hospital-Adjustment-(DHA)-Criteria

To-qualify-for-the-DHA-under-this-subsection-(c)-hospitals-must-meet one-of-the-following-criteria:

- i) Be-an-Illinois-hospital-located-outside-of-Health-Service-Area (HSA)-six-that-meets-one-of-the-following-criteria:
  - A) Has-a-Medicaid-inpatient-utilization-rate-on-the-last-day-of June-preceding-the-CHAP-rate-period-as-defined-in-Section

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

148-120(k)(5)-greater-than-60-percent-and-has-an-average length-of-stay-of-less-than-ten-days.

- B) Is-a-major-teaching-hospital-with-35-or-more-graduate medical-education-programs-accredited-by-the-American Accreditation-Council-for-Graduate-Medical-Education-the American-Osteopathic-Association-Division-of-Post-doctoral Training-or-the-American-Dental-Association-Joint Commission-on-Dental-Accreditation.

- 2) Be-a-hospital-located-in-HSA-six-excluding-psychiatric-and rehabilitation-hospitals-as-defined-in-89-III-Adm-Code 149-50(c)(1)-and-(c)(2)-that-meets-one-of-the-following criteria:
  - A) Is-a-hospital-whose-sum-of-the-critical-weighting-factors-is greater-than-one-standard-deviation-above-the-mean-of-the summed-critical-weighting-factors-for-all-hospitals-located within-the-same-planning-area-the-critical-weighting factor-is-determined-as-follows:
    - i) Hospitals-that-on-the-last-day-of-June-preceding-the CHAP-rate-period-are-designated-as-a-level-I-or-II or-I-Perinatal-Center-by-the-Illinois-Department-of Public-Health-shall-receive-a-critical-weighting factor-of-10,7-57-or-5-respectively-depending-on-the hospital's-perinatal-level-designation.
    - ii) Hospitals-that-on-the-last-day-of-June-preceding-the CHAP-rate-period-are-recognized-as-a-level-I-or-II Trauma-Center-by-the-Illinois-Department-of-Public Health-shall-receive-a-critical-weighting-factor-of ten-or-five-respectively-depending-on-the-hospital's trauma-level-designation.
    - iii) Hospitals-that-on-the-last-day-of-June-preceding-the CHAP-rate-period-are-eligible-for-disproportionate share-payments-as-described-in-Section-148-120(g)(1) or-(g)(2)-shall-receive-a-critical-weighting-factor-of five.
    - iv) Hospitals-that-have-an-occupancy-ratio-as-determined by-the-Illinois-Department-of-Public-Health-(IDPH)-based-upon-the-most-current-IDPH-published-report entitled-"Bed-County-Average-length-of-Stay-Average Daily-Census-and-Percent-Occupancy-for-Non-Federal Hospitals-in-Illinois"-which-is-available-to-the Illinois-Department-of-Public-Aid-on-the-last-day-of June-preceding-the-CHAP-rate-period-which-is-equal-to or-greater-than-the-mean-occupancy-ratio-for-all hospitals-in-the-planning-area-shall-receive-a critical-weighting-factor-of-five.
    - v) Hospitals-that-have-Medicaid-obstetrical-care admissions-in-the-CHAP-base-period-and-are-equal-to-or greater-than-one-half-a-standard-deviation-above-the



## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

mean-Medicare-obstetrical-care-admissions-in-their planning-area-shall-receive-a-critical-weighting factor-of-ten.--If the hospital's-Medicare-obstetrical care-admissions-are-greater-than-the-mean-but-less than-one-half-a-standard-deviation-above-the-mean Medicare-obstetrical-care-admissions-in-their-planning area--the-hospital-shall-receive-a-critical-weighting factor-of-five.

vi) Hospitals-that-on-the-last-day-of-June-preceding--the CHAP-rate-period-have-a-Medicare-inpatient-utilization rate-as-defined-in-Section-140-120(k)(5)-which-is equal-to-or-greater-than-one-half-a-standard-deviation above-the-mean-Medicare-inpatient-utilization-rate--in their-planning-area--shall-receive-a-critical weighting-factor-of-ten.--If the hospital's-Medicare inpatient-utilization-rate-is-greater-than-the-mean but-less-than-one-half-a-standard-deviation-above-the mean-Medicare-inpatient-utilization-rate--in their planning-area--the-hospital-shall-receive-a-critical weighting-factor-of-five.

vii) Hospitals-that-have-Medicare-general-care-admissions in-the-CHAP-base-period-and-are-equal-to-or-greater than-one-half-a-standard-deviation-above-the-mean Medicare-general-care-admissions-in-their-planning area-shall-receive-a-critical-weighting-factor-of-ten.--If the hospital's-Medicare-general-care-admissions-are greater-than-the-mean-but-less-than-one-half-a standard-deviation-above-the-mean-Medicare-general care-admissions-in-their-planning-area--the-hospital shall-receive-a-critical-weighting-factor-of-five.

viii) Hospitals-which-have-a-cost-per-day-at-80-percent occupancy-that-is-less-than-or-equal-to-one-half-a standard-deviation-below-the-mean-cost-per-day-at-80 percent-occupancy-in-their-planning-area-shall-receive a-critical-weighting-factor-of-ten.--If the hospital's cost-per-day-at-80-percent-occupancy-is-greater-than one-half-a-standard-deviation-below-the-mean-cost-per day-at-80-percent-occupancy-but-less-than-the-mean cost-per-day-at-80-percent-occupancy-in-their-planning area--the-hospital-shall-receive-a-critical-weighting factor-of-five.

B) Is-a-major-teaching-hospital-with-48-or-more-graduate medical-education-programs-accredited-by-the-American Accreditation-Council-for-Graduate-Medical-Education--the American-Osteopathic-Association-Division-of-Post-doctoral Training--or-the-American-Dental-Association--Joint Commission-on-Dental-Accreditation.

C) Is-a-hospital-with-37208-or-more-total-Medicare-admissions

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

in-the-CHAP-base-period.

3) Be-a-hospital-qualifying-under-subsection-(c)(2)-above-that-has the-highest-number-of-Medicare-obstetrical-care-admissions-in-the CHAP-base-period.

4) Be-a-hospital-qualifying-under-subsection-(c)(2)-above-that-on the-last-day-of-June-preceding--the-CHAP-rate-period--is designated-as-a-Level-III-or-II-Perinatal-Center-by-the-Illinois Department-of-Public-Health--and-that-has-a-Medicare-inpatient utilization-rate-as-defined-in-Section-140-120(k)(5)--which-is greater-than-one-half-a-standard-deviation-above-the-statewide mean-Medicare-inpatient-utilization-rate-as-defined-in-Section 140-120(k)(3)--and-that-has-at-least-one-obstetrical-graduate medical-education-program-accredited-by-the-American Accreditation-Council-for-Graduate-Medical-Education--the American-Osteopathic-Association-Division-of-Post-doctoral Training--or-the-American-Dental-Association-Joint-Commission-on-Dental-Accreditation.

5) Be-a-children's-hospital-which-means-a-hospital-devoted exclusively-to-caring-for-children--A-hospital-which-includes-a facility-devoted-exclusively-to-caring-for-children-that-is separately-licensed-as-a-hospital-by-a-municipality-shall-be considered-a-children's-hospital-to-the-degree-that--the hospital's-Medicare-care-is-provided-to-children.

## d) BHA-Adjustment

Calculation-of-the-BHA-is-as-follows:

1) Hospitals-qualifying-under-subsection-(c)(1)(A)-above-shall receive-a-BHA-of-\$68-multiplied-by-the-BHA-Medicare-days-in-the CHAP-base-period.

2) Hospitals-qualifying-under-subsection-(c)(1)(B)-or-(c)(5) above-shall-receive-a-BHA-of-\$38-multiplied-by-the-BHA-Medicare days-in-the-CHAP-base-period.

3) Hospitals-qualifying-under-subsection-(c)(5)-above-which-have-a Medicare-inpatient-utilization-rate-as-defined-in-Section 140-120(k)(5)-on-the-last-day-of-June-preceding--the-CHAP-rate period--that-is-greater-than-85-percent-shall-receive-an additional-\$28-multiplied-by-the-BHA-Medicare-days-in-the-CHAP base-period.

4) Hospitals-qualifying-under-subsection-(c)(2)(B)-above-shall receive-an-additional-\$18-multiplied-by-the-BHA-Medicare-days-in the-CHAP-base-period.

5) Hospitals-qualifying-under-subsections-(c)(2)(A)-and-(c)(2)(D)-of this-Section-will-receive-an-additional-\$20-multiplied-by-BHA Medicare-days-in-the-CHAP-base-period.

6) Hospitals-qualifying-under-subsection-(c)(3)-or-(c)(4)-above shall-receive-an-additional-\$128-multiplied-by-the-BHA-Medicare days-in-the-CHAP-base-period--if-their-Medicare-inpatient utilization-rate-as-defined-in-Section-140-120(k)(5)-on-the last-day-of-June-preceding--the-CHAP-rate-period--is-equal-to-or



## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

greater-than-50-percent; or \$65-multiplied-by--the--DHA--Medicaid days--in--the--CHAP--base--period--if--their--Medicaid--inpatient utilization--rate--as--defined--in--Section-148.120(k)(5)--on-the last-day-of-June-preceding-the-CHAP-rate-period--is-less-than--50 percent--

7) Payments---calculated---according---to---the---methodology---in---this subsection-(d)-shall-end-on-September-30,-1999-

c)et Direct Hospital Adjustment (DHA) Criteria

1) Qualifying Criteria

Hospitals may qualify for the DHA under this subsection (c)et under the following categories:

A) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals and long term stay hospitals, all other hospitals located in Health Service Area (HSA) 6 that either:

i) were eligible for Direct Hospital Adjustments under the CHAP program as of July 1, 1999, and had a Medicaid inpatient utilization rate (MIUR) equal to or greater than the Statewide mean in Illinois on July 1, 1999;

ii) were eligible under the Supplemental Critical Hospital Adjustment Payment (SCHAP) program as of July 1, 1999, and had an a MIUR equal to or greater than the Statewide mean in Illinois on July 1, 1999; or

iii) were county owned hospitals as defined in 89 Ill. Adm. Code 148.25(b)(1)(A), and had an a MIUR equal to or greater than the Statewide mean in Illinois on July 1, 1999.

B) Illinois hospitals located outside of HSA 6 that had an a MIUR greater than 60 percent on July 1, 1999, and an average length of stay less than ten days. The following hospitals are excluded from qualifying under this subsection (c)et(1)(B): children's hospitals; psychiatric hospitals; rehabilitation hospitals; and long term stay hospitals.

C) Children's hospitals, as defined under Section 149.50(c)(3), on July 1, 1999.

D) Illinois teaching hospitals, with more than 40 graduate medical education programs on July 1, 1999, not qualifying in subsections (c)et(1)(A), (B), or (C) of this Section above.

E) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals, long term stay hospitals and hospitals qualifying in subsection (c)et(1)(A), (B), (C) or (D) of this Section, all other hospitals located in Illinois that had an a MIUR equal to or greater than the mean plus one-half standard deviation on July 1, 1999, and provided more than 15,000 Total days.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

F) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals, long term stay hospitals and hospitals otherwise qualifying in subsection (c)et(1)(A), (B), (C), (D) or (E) of this Section, all other hospitals that had a Combined MIUR greater than 30 percent on July 1, 1999, and provided more than 20,000 Total days.

G) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals, long term stay hospitals and hospitals otherwise qualifying in subsection (c)et(1)(A), (B), (C), (D), (E) or (F) of this Section, all other hospitals that had an MIUR greater than 50 percent on July 1, 1999, and provided more than 10,000 Total days.

H) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals, long term stay hospitals and hospitals otherwise qualifying in subsection (c)et(1)(A), (B), (C), (D), (E), (F) or (G) of this Section, all other hospitals that had an MIUR greater than 40 percent on July 1, 1999, and provided more than 7,500 Total days and provided obstetrical care as of July 1, 2001.

## 2) DHA Rates

A) For hospitals qualifying under subsection (c)et(1)(A) of this Section above, the DHA rates are as follows:

i) Hospitals that have a Combined MIUR that is equal to or greater than the Statewide mean Combined MIUR, but less than one standard deviation above the Statewide mean Combined MIUR, will receive \$75 per day for hospitals that do not provide obstetrical care and \$115 per day for hospitals that do provide obstetrical care.

ii) Hospitals that have a Combined MIUR that is equal to or greater than one standard deviation above the Statewide mean Combined MIUR, but less than one and one-half standard deviation above the Statewide mean Combined MIUR, will receive \$115 per day for hospitals that do not provide obstetrical care and \$155 per day for hospitals that do provide obstetrical care.

iii) Hospitals that have a Combined MIUR that is equal to or greater than one and one-half standard deviation above the Statewide mean Combined MIUR, but less than two standard deviations above the Statewide mean Combined MIUR, will receive \$135 per day for hospitals that do not provide obstetrical care and \$175 per day for hospitals that do provide obstetrical care.

iv) Hospitals that have a Combined MIUR that is equal to or greater than two standard deviations above the

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

Statewide mean Combined MIUR will receive \$155 per day for hospitals that do not provide obstetrical care and \$195 per day for hospitals that do provide obstetrical care.

- B) Hospitals qualifying under subsection (c)(1)(A) of this Section ~~above~~ will also receive the following rates:

i) County owned hospitals as defined in Section 148.25

Hospitals with more than 30,000 Total days will have their rate increased by \$455 per day.

ii) Hospitals that are not county owned with more than 30,000 Total days will have their rate increased by \$345 per day.

iii) Hospitals with more than 80,000 Total days will have their rate increased by an additional \$410 per day.

iv) Hospitals with more than 4,500 Obstetrical days will have their rate increased by \$110 per day.

v) Hospitals with more than 5,500 Obstetrical days will have their rate increased by an additional \$185 per day.

vi) Hospitals with an MIUR rate greater than 74 percent will have their rate increased by \$160 per day.

vii) Hospitals with an average length of stay less than 3.9 days will have their rate increased by \$45 per day.

viii) Hospitals with an MIUR greater than the statewide mean plus one standard deviation that are designated a Perinatal Level 2 Center and have one or more obstetrical graduate medical education programs as of July 1, 1999, will have their rate increased by \$90 per day.

ix) Hospitals receiving payments under subsection (c)(2)(A)(ii) of this Section that have an average length of stay less than four days will have their rate increased by \$45 per day.

x) Hospitals receiving payments under subsection (c)(2)(A)(ii) of this Section that have an MIUR greater than 60 percent will have their rate increased by \$220 per day.

xi) Hospitals receiving payments under subsection (c)(2)(A)(iv) of this Section that have a Medicaid inpatient utilization rate greater than 70 percent and have more than 20,000 days will have their rate increased by \$5 per day.

- C) Hospitals qualifying under subsection (c)(1)(B) of this Section ~~above~~ will receive the following rates:

i) Qualifying hospitals will receive a rate of \$330 per day.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

ii) Qualifying hospitals with the more than 1,500 Obstetrical days will have their rate increased by \$225 per day.

- D) Hospitals qualifying under subsection (c)(1)(C) of this Section ~~above~~ will receive the following rates:

i) Hospitals will receive a rate of \$30 per day.

ii) Hospitals located in Illinois and outside of HSA 6, that have a Medicaid inpatient utilization rate greater than 60 percent, will have their rate increased by \$60 per day.

iii) Hospitals located in Illinois and inside HSA 6, that have a Medicaid inpatient utilization rate greater than 80 percent, will have their rate increased by \$430 per day.

iv) Hospitals that are not located in Illinois that have a Medicaid inpatient utilization rate greater than 45 percent will have their rate increased by \$35 per day.

v) Hospitals with more than 3,200 Total admissions will have their rate increased by \$270 per day.

- E) Hospitals qualifying under subsection (c)(1)(D) of this Section will receive the following rates:

i) Hospitals will receive a rate of \$45 per day.

ii) Hospitals with an MIUR between 18 percent and 19.75 percent will have their rate increased by an additional \$15 per day.

iii) Hospitals with an MIUR equal to or greater than 19.75 percent will have their rate increased by an additional \$145 per day.

- F) Hospitals qualifying under subsection (c)(1)(E) of this Section will receive \$205 per day.

G) Hospitals qualifying under subsection (c)(1)(F) of this Section will receive a rate of \$65 per day.

H) Hospitals qualifying under subsection (c)(1)(G) of this Section will receive a rate of \$45 per day.

I) Hospitals qualifying under subsection (c)(1)(H) of this Section will receive a rate of \$60 per day.

J) Hospitals that qualify under subsection (c)(1)(A)(iii) of this Section will have their rates multiplied by a factor of two.

- 3) DHA Payments

A) Payments under this subsection (c) will be made at least quarterly, beginning with the quarter ending December 31, 1999.

B) Payment rates will be multiplied by the Total days.

- C) Total Payment Adjustments

i) For the CHAP rate period occurring in State fiscal year 2002, total payments will equal the methodologies described above, less the amount the



## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

hospital received under DHA and SEHAP for the quarter beginning July 1, 2001 through 2001 through 2001. For hospitals not qualifying for CHAP, DHA and SEHAP payments for the quarter ending September 30, 2001 through 2001, total payments will equal the methodologies described above.

- ii) For CHAP rate periods occurring after State fiscal year 2002 through 2002, total payments will equal the methodologies described above.

d) Rural Critical Hospital Adjustment Payments (RCHAP)

Rural Critical Hospital Adjustment Payments (RCHAP) shall be made to rural hospitals, as described in 89 Ill. Adm. Code 140.80(j)(1), for certain inpatient admissions. The hospital qualifying under this subsection that has the highest number of Medicaid obstetrical care admissions during the CHAP base period shall receive \$400,000 per year. The Department shall also make an RCHAP adjustment payment to hospitals qualifying under this subsection at a rate that is the greater of:

- 1) the product of \$1,490 multiplied by the number of RCHAP Obstetrical Care Admissions in the CHAP base period, or
- 2) the product of \$150 multiplied by the number of RCHAP General Care Admissions in the CHAP base period.

e) Each eligible hospital's critical hospital adjustment payment for the CHAP rate period shall equal the sum of the amounts described in subsections (a), (b), (c) and (d) of this Section and (f) above. The critical hospital adjustment payments shall be paid to eligible hospitals at least on a quarterly basis.

f) Critical Hospital Adjustment Limitations

Hospitals that qualify for trauma center adjustments under subsection (a) shall not be eligible for the total trauma center adjustment if, during the CHAP rate period, the hospital is no longer recognized by the Illinois Department of Public Health as a Level I trauma center as required for the adjustment described in subsection (a)(1) of this Section above, or a Level II trauma center as required for the adjustment described in subsection (a)(2) or (a)(3) of this Section above. In these instances, the adjustments calculated shall be pro-rated, as applicable, based upon the date that such recognition ceased.

i) In order to maintain critical hospital access, the Department shall make an additional one-time CHAP payment in fiscal year 1999 to hospitals that meet one of the following:

- 1) A hospital located in HSA six, with a sum of critical weighting factor equal to or greater than 37.5 that has an MIUR as defined in Section 140-120(k)(5) that is equal to or greater than 60 percent; or
- 2) Such a hospital shall receive \$10.50 multiplied by the BHA Medicaid days in the CHAP base period.

2) A hospital qualifying under subsection (c)(1)(A) of this Section with the highest number of Medicaid obstetrical care admissions in the CHAP base period; or Such a hospital shall receive \$59

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

multiplied by the BHA Medicaid days in the CHAP base period.  
g) Critical Hospital Adjustment Payment Definitions  
 The definitions of terms used with reference to calculation of the CHAP required by this Section are as follows:

1) "CHAP base period" means State Fiscal Year 1994 for CHAP payments calculated for the July 1, 1995, CHAP rate period; State Fiscal Year 1995 for CHAP payments calculated for the July 1, 1996, CHAP rate period; etc.

2) "CHAP rate period" means, beginning July 1, 1995, the 12 month period beginning on July 1 of the year and ending June 30 of the following year.

3) "Combined MIUR" means the sum of Medicaid Inpatient Utilization Rate (MIUR) as of July 1, 1999, and as defined in Section 148.120(k)(5), plus the Medicaid obstetrical inpatient utilization rate, as described in Section 148.120(k)(6), as of July 1, 1999.

4) "Cost-per-day-at-80-percent-occupancy" means the estimated inpatient cost per day had the hospital been operating at an 80 percent occupancy rate.

4.5) "Medicaid general care admission" means hospital inpatient admissions which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of the Social Security Act, excluding admissions for normal newborns, Medicare/Medicaid crossover admissions, psychiatric and rehabilitation admissions.

6) "Medicaid inpatient day" means hospital inpatient days which were subsequently adjudicated by the Department through the last day of June preceding the CHAP of June preceding the CHAP rate period and contained within the Department's paid claims data base, with an ICD-9-CM principal diagnosis code of: 054.3, 310.1 through 310.2, 320.1, 336.0 through 336.9, 344.0 through 344.2, 344.8 through 344.9, 348.1, 801.30, 803.10, 803.84, 806.0 through 806.19, 806.20 through 806.24, 806.26, 806.29 through 806.34, 806.36, 806.4 through 806.5, 851.06, 851.80, 853.05, 854.0 through 854.04, 854.06, 854.1 through 854.14, 854.16, 854.19, 905.0, 907.0, 907.2, 952.0 through 952.09, 952.10 through 952.16, 952.2, and V57.0 through V57.89, excluding admissions for normal newborns.

5.7) "Medicaid Level I rehabilitation admissions" means those claims billed as Level I admissions which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, with an ICD-9-CM principal diagnosis code of: 054.3, 310.1 through 310.2, 320.1, 336.0 through 336.9, 344.0 through 344.2, 344.8 through 344.9, 348.1, 801.30, 803.10, 803.84, 806.0 through 806.19, 806.20 through 806.24, 806.26, 806.29 through 806.34, 806.36, 806.4 through 806.5, 851.06, 851.80, 853.05, 854.0 through 854.04, 854.06, 854.1 through 854.14, 854.16, 854.19, 905.0, 907.0, 907.2, 952.0 through 952.09, 952.10 through 952.16, 952.2, and V57.0 through V57.89, excluding admissions for normal newborns.

6.7) "Medicaid Level I rehabilitation inpatient day" means the days associated with the claims defined in subsection (g)(6) of this



## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

Section (j)(7)-above.

7)9) "Medicaid obstetrical care admission" means hospital inpatient admissions which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of Social Security Act, with an ICD-9-CM principal diagnosis code of 640.0 through 648.9 with a 5th digit of 1 or 2; 650; 651.0 through 659.9 with a 5th digit of 1, 2, 3, or 4; 660.0 through 669.9 with a 5th digit of 1, 2, 3, or 4; 670.0 through 676.9 with a 5th digit of 1 or 2; or V27 through V27.9; or V30 through V39.9; or any ICD-9-CM principal diagnosis code that is accompanied with a surgery procedure code between 72 and 75.99; and specifically excludes Medicare/Medicaid crossover claims.

10) "Medicaid psychiatric days" as used in subsection (j)(21)-below means hospital inpatient days for the Supplemental-CHAP base that are billed to the Department with a category of service-21.

11) "Medicaid rehabilitation days" as used in subsection (j)(21)-below means hospital inpatient days for the Supplemental-CHAP base that are billed to the Department with a category of service-22.

8)12) "Medicaid trauma admission" means those claims billed as admissions which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, with an ICD-9-CM principal diagnosis code of: 800.0 through 800.99, 801.0 through 801.99, 802.0 through 802.99, 803.0 through 803.99, 804.0 through 804.99, 805.0 through 805.98, 806.0 through 806.99, 807.0 through 807.69, 808.0 through 808.9, 809.0 through 809.1, 828.0 through 828.1, 839.0 through 839.3, 839.7 through 839.9, 850.0 through 850.9, 851.0 through 851.99, 852.0 through 852.59, 853.0 through 853.19, 854.0 through 854.19, 860.0 through 860.5, 861.0 through 861.32, 862.8, 863.0 through 863.99, 864.0 through 864.19, 865.0 through 865.19, 866.0 through 866.13, 867.0 through 867.9, 868.0 through 868.19, 869.0 through 869.1, 887.0 through 887.7, 896.0 through 896.3, 897.0 through 897.7, 900.0 through 900.9, 902.0 through 904.9, 925, 926.8, 929.0 through 929.99, 958.4, 958.5, 990 through 994.99.

9)13) "Medicaid trauma admission percentage" means a fraction, the numerator of which is the hospital's Medicaid trauma admissions and the denominator of which is the total Medicaid trauma admissions in a given 12 month period for all Level II urban trauma centers.

10)14) "RCHAP general care admission" means Medicaid General Care Admissions, as defined in subsection (g)(4) of this Section (j)(5)-above, less RCHAP Obstetrical Care Admissions, occurring in the CHAP base period.

11)15) "RCHAP obstetrical care admissions" means Medicaid Obstetrical

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

General Care Admissions, as defined in subsection (g)(7) of this Section (j)(5)-above, with a Diagnosis Related Group (DRG) of 370 through 375, occurring in the CHAP base period.

12)16) "Total admissions" means total paid admission contained in the Department's paid claims database, including obstetrical admissions multiplied by two and excluding Medicare crossover admissions, for dates of service occurring in State fiscal year 1998 and adjudicated through June 30, 1999.

13)17) "Total days" means total paid days contained in the Department's paid claims database, including obstetrical days multiplied by two and excluding Medicare crossover days, for dates of service occurring in State fiscal year 1998 and adjudicated through June 30, 1999.

14)18) "Total obstetrical days" means hospital inpatient days for dates of service occurring in State fiscal year 1998 and adjudicated through June 30, 1999, with an ICD-9-CM principal diagnosis code of 640.0 through 648.9 with a 5th digit of 1 or 2; 650; 651.0 through 659.9 with a 5th digit of 1, 2, 3, or 4; 660.0 through 669.9 with a 5th digit of 1, 2, 3, or 4; 670.0 through 676.9 with a 5th digit of 1 or 2; V27 through V27.9; V30 through V39.9; or any ICD-9-CM principal diagnosis code that is accompanied with a surgery procedure code between 72 and 75.99; and specifically excludes Medicare/Medicaid crossover claims.

19) "Total-Medicaid-admissions" means hospital inpatient admissions for the CHAP base period for recipients of medical assistance under Title XIX of the Social Security Act, excluding admissions for normal newborns and Medicare/Medicaid crossover admissions.

20) "Total-Medicaid-days" means hospital inpatient days for the CHAP base period for recipients of medical assistance under Title XIX of the Social Security Act, excluding days and Medicare/Medicaid crossover admissions.

21) "BHA-Medicaid-days" means total-Medicaid-days that include Medicaid psychiatric days and Medicaid rehabilitation days for the CHAP base period multiplied by a factor of two.

(Source: Amended by emergency rulemaking at 25 Ill. Reg. 12870, effective October 1, 2001, for a maximum of 150 days)

Section 148.296 Tertiary Care Adjustment Payments  
EMERGENCY

Tertiary Care Adjustment Payments shall be made to all eligible hospitals, excluding county-owned hospitals, as described in Section 148.25(b)(1)(A), and hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B), for inpatient admissions occurring on or after April 1, 2001, in accordance with this Section. The provisions described in subsection (d) of this Section will be effective for the period October 1, 2001, through December 31, 2001.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

a) Definitions. The definitions of terms used with reference to calculation of payments under this Section are as follows:

- 1) "Base Period Claims" means claims for inpatient hospital services with dates of service occurring in the Tertiary Adjustment Base Period that were subsequently adjudicated by the Department through December 31, 1999. For a general care hospital that includes a facility devoted exclusively to caring for children and that was separately licensed as a hospital by a municipality before September 30, 1998, Base Period Claims for services that may, in 89 Ill. Adm. Code 149.50(c)(3), be billed by a children's hospital shall be attributed exclusively to the children's facility. Base Period Claims shall exclude the following types:
  - A) Claims for which Medicare was liable in part or in full ("cross-over" claims);
  - B) Claims for transplantation services that were paid by the Department via form C-13, Invoice Voucher; and
  - C) Claims for services billed for exceptional care services as described in Section 148.50(c)(2)(A) and (B).

- 2) "Case Mix Index" (CMI), for a given hospital, means the sum of all Diagnosis Related Grouping (DRG) (see 89 Ill. Adm. Code 149) weighting factors for Base Period Claims divided by the total number of claims included in the sum, but excluding claims:
  - A) Reimbursed under a per diem rate methodology; and
  - B) For Delivery or Newborn Care.

- 3) "Case Mix Adjustment Factor" (CMAF) means the following:

- A) For qualifying hospitals located in Illinois that, for Base Period Claims, had a CMI that is greater than the mean:
  - i) CMI of all Illinois cost-reporting hospitals, but less than that mean plus a one standard deviation above the mean, the CMAF shall be equal to 0.040;
  - ii) CMI plus one standard deviation above the mean of all Illinois cost reporting hospitals, but less than that mean plus two standard deviations above the mean, the CMAF shall be equal to 0.250;
  - iii) CMI plus two standard deviations above the mean of all Illinois cost reporting hospitals, the CMAF shall be equal to 0.300.
- B) For qualifying hospitals located outside of Illinois that, for Base Period Claims, had a CMI that is greater than the mean:
  - i) CMI of all out-of-state cost reporting hospitals, but less than that mean plus a one standard deviation above the mean, the CMAF shall be equal to 0.020;
  - ii) CMI plus one standard deviation above the mean of all out-of-state cost reporting hospitals, but less than that mean plus two standard deviations above the mean, the CMAF shall be equal to 0.125;
  - iii) CMI plus two standard deviations above the mean of all

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

out-of-state cost reporting hospitals, the CMAF shall be equal to 0.150.

- 4) "Delivery or Newborn Care" means inpatient hospital care, the claim for which was assigned by the Department to DRGs 370 through 375, 385 through 387, 389, 391 and 985 through 989.
- 5) "Tertiary Adjustment Base Period" means calendar year 1998.
- 6) "Tertiary Care Adjustment Rate Period" means, for fiscal year 2001, the three-month period beginning April 1, 2001, and for each subsequent fiscal year, the twelve-month period beginning July 1.

- b) Case Mix Adjustment

The Department shall make a Case Mix Adjustment to certain hospitals, as defined in this subsection (b).

- 1) Qualifying Hospital. A hospital meeting both of the following criteria shall qualify for this payment:

- A) A hospital that had 100 or more Qualified Admissions; and
- B) For a hospital located:
  - i) in Illinois, has a CMI greater than or equal to the mean CMI for Illinois hospitals; or
  - ii) outside of Illinois, has a CMI greater than or equal to the mean CMI for out-of-state cost-reporting hospitals.

- 2) Qualified Admission. For the purposes of this subsection (b), "Qualified Admission" shall mean a Base Period Claim excluding a claim:
  - A) Reimbursed under a per diem rate methodology; and
  - B) For Delivery or Newborn Care.

- 3) Case Mix Adjustment. Each Qualifying Hospital will receive a payment equal to the product of:

- A) The product of the hospital's:
  - i) number of Qualified Admissions; and
  - ii) CMAF; and
- B) The sum of the hospital's:
  - i) rate for capital related costs in effect on July 1, 2000; and
  - ii) the product of the hospital's CMI raised to the second power and the DRG PPS (Prospective Payment System) (see 89 Ill. Adm. Code 149) rate per discharge in effect on July 1, 2000.

- c) DRG Adjustment

The Department shall make a DRG Adjustment to certain hospitals, as defined in this subsection (c).

- 1) Qualifying Hospital. A hospital that, during the Tertiary Adjustment Base Period, had at least one Qualified Admission shall qualify for this payment.
- 2) Qualified Admission. For the purposes of this subsection (c), "Qualified Admission" means a Base Period Claim that was:
  - A) Assigned by the Department to a DRG that:



## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

- i) had been assigned a weighting factor greater than 3,2000; and
- ii) for which fewer than 200 Base Period Claims were adjudicated by the Department; and
- B) Not a claim:
- i) reimbursed under a per diem rate methodology;
- ii) for Delivery or Newborn Care; or
- iii) for a patient transferred to another facility as described at 89 Ill. Adm. Code 149.25(b)(2).
- 3) DRG Adjustment Rates. For each Qualified Admission, a Qualifying Hospital will receive a payment equal to the product of:
- A) The hospital's DRG PPS rate per discharge in effect on July 1, 2000; and
- B) The weighting factor assigned to the DRG to which the Qualified Admission was assigned by the Department; and
- C) The constant 1.400.
- d) Children's Hospital Adjustment
- The Department shall make a Children's Hospital Adjustment to certain hospitals, as defined in this subsection (d).
- 1) Qualifying Hospital. A children's hospital, as defined at 89 Ill. Adm. Code 149.50(c)(3), shall qualify for this payment.
- 2) Qualified Days. For the purposes of this subsection (d), "Qualified Day" means a day of care that was provided in a Base Period Claim, excluding a claim:
- A) For Delivery or Newborn Care;
- B) Assigned by the Department to a DRG with an assigned weighting factor that is less than 1.0000; or
- C) For hospital inpatient psychiatric services as described at Section 148.40(a) or hospital inpatient physical rehabilitation services as described at Section 148.40(b).
- 3) Children's Hospital Adjustment. A Qualifying Hospital shall receive a payment equal to the product of:
- A) The sum of Qualified Days from the hospital's Base Period Claims; and
- B) For Illinois hospitals with:
- i) more than 5,000 Qualified Days, \$670; or
- ii) 5,000 or fewer Qualified Days, \$300; and:
- C) For out of State hospitals with:
- i) more than 1,000 Qualified Days, \$670; or
- ii) 1,000 or fewer Qualified Days, \$300.
- e) Primary Care Adjustment
- The Department shall make a Primary Care Adjustment to certain hospitals, as defined in this subsection (e).
- 1) Qualifying Hospital. A hospital located in Illinois that has at least one Qualifying Resident shall qualify for this payment.
- 2) Qualifying Residents. For purposes of this subsection (e), "Qualifying Residents" means the number of primary care residents, as reported on form HCFA 2552-96, Worksheet E-3, Part

## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

- IV, line 1, column 1, for hospital fiscal years ending September 30, 1997, through September 29, 1998.
- 3) Qualified Admission. For the purposes of this subsection (e), "Qualified Admission" shall mean a Base Period Claim excluding a claim:
- A) For hospital inpatient psychiatric services as described at Section 148.40(a) or hospital inpatient physical rehabilitation services as described at Section 148.40(b) and reimbursed under a per diem rate methodology; and
- B) For Delivery or Newborn Care.
- 4) Primary Care Adjustment. A Qualifying Hospital will receive a payment equal to the product of:
- A) The number of Qualifying Admissions during the Tertiary Adjustment Base Period;
- B) \$4,675; and
- C) The quotient of:
- i) the number of Qualifying Residents,
- ii) divided by the number of Qualifying Admissions.
- f) Long Term Stay Hospital Adjustment
- The Department shall make a Long Term Stay Hospital Adjustment to certain hospitals, as defined in this subsection (f).
- 1) Qualifying Hospital. A long term stay hospital, as defined at 89 Ill. Adm. Code 149.50(c)(4), that had a CMI that was greater than or equal to the mean CMI for all long term stay hospitals, shall qualify for this payment.
- 2) Qualified Days. For the purposes of this subsection (f), "Qualified Day" means a day of care that was provided in a Base Period Claim, excluding claims for hospital inpatient psychiatric services as described at Section 148.40(a) or hospital inpatient physical rehabilitation services as described at Section 148.40(b).
- 3) Long Term Stay Hospital Adjustment Rates. A Qualifying Hospital will receive payments equal to the product of:
- A) The number of Qualified Days from all Base Period Claims; and
- B) A constant that:
- i) for a hospital that had a CMI that was greater than or equal to the mean CMI for all long term stay hospitals plus one standard deviation above the mean, \$300; or
- ii) for a hospital that had a CMI that was greater than or equal to the mean CMI for all long term stay hospitals, but less than one standard deviation above that mean, \$5.
- g) Rehabilitation Hospital Adjustment
- The Department shall make a Rehabilitation Hospital Adjustment to certain hospitals as defined in this subsection (g).
- 1) Qualifying Hospital. A hospital that qualifies for the Rehabilitation Hospital Adjustment under the Critical Hospital



## DEPARTMENT OF PUBLIC AID

## NOTICE OF EMERGENCY AMENDMENTS

Adjustment Payments (CHAP) program, as defined in Section 148.295(b), shall qualify for this payment.

- 2) "Qualified Admission" shall mean a Medicaid level I rehabilitation admission in the CHAP rate period, as defined in Section 148.295, for fiscal year 2001.

- 3) Rehabilitation Hospital Adjustment. A Qualifying Hospital shall receive payment as follows:

- A) For a hospital that had fewer than 60 Qualified Admissions, \$100,000.
- B) For a hospital that had 60 or more Qualified Admissions, \$350,000.

## h) Tertiary Care Adjustment

- 1) The total annual adjustment to an eligible hospital shall be the sum of the adjustments for which the hospital qualifies under subsections (a) through (g) of this Section.

- 2) A total annual adjustment amount shall be paid to the hospital during the Tertiary Care Adjustment Rate Period in installments on, at least, a quarterly basis.

- 3) For fiscal year 2001 only, one-fourth of the total annual adjustment amount determined under this Section shall be paid during the fiscal year 2001 Tertiary Care Adjustment Rate Period.

(Source: Amended by emergency rulemaking at 25 Ill. Reg. 12870, effective October 1, 2001, for a maximum of 150 days)

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PUBLIC HEARING ON PROPOSED RULES

- 1) Heading of the Part: Illinois AgriFIRST Program Act
- 2) Code Citation: 8 Ill Adm Code 950
- 3) Register Citation to Notice of Proposed Rules: 25 Ill Reg 11945 - 9/21/01
- 4) Date, Time and Location of Public Hearing:

Monday, October 29, 2001 at 10:00 a.m.  
Illinois Department of Agriculture  
Agriculture Building, Room 66  
State Fairgrounds, 8th & Sangamon  
Springfield, IL 62794-9281

5) Other Pertinent Information:

Each person presenting oral testimony shall provide a written copy of such testimony at the time the oral testimony is presented.

Individuals who are unable to attend the public hearing but wish to comment on the Proposed Rules should submit written comments to:

Department of Agriculture  
Attention: Linda Rhodes  
P.O. Box 19281  
Springfield, IL 62794-9281  
217/785-5713; FAX #: 217/785-4505.

In order for mailed comments to be available for consideration at the public hearing, please mail no later than October 24, 2001. All comments received will be fully considered by the agency.

## DEPARTMENT OF LABOR

## NOTICE OF PUBLIC INFORMATION

CONTRACTOR PROHIBITED FROM AN AWARD  
OF A CONTRACT OR SUBCONTRACT  
FOR PUBLIC WORKS PROJECTS

Pursuant to the settlement of In re: Hastings CCI, IDOL File No. 01-PW-JD01-0047, the Director of the Department of Labor gives notice that Mr. Mike Hastings, owner of Hastings CCI, and any other officer, partner, shareholder or title holder of Hastings CCI, currently located at 2083 County Road 1325 N, St. Joseph, Illinois 61873, are prohibited from bidding, accepting or working on any contract or subcontract for a public works project covered by the Prevailing Wage Act, 820 ILCS 130/0.01-12 (2000), commencing October 1, 2001 and continuing through October 14, 2002.

Copies of the Prevailing Wage Act are available on the internet at <<http://www.legis.state.il.us/ilcs/ch820act130.htm>>, and at the:

Illinois Department of Labor  
Conciliation and Mediation Division  
One West Old State Capital Plaza, Room 300  
Springfield, Illinois 62701-1217

## DEPARTMENT OF LABOR

## NOTICE OF PUBLIC INFORMATION

CONTRACTOR PROHIBITED FROM AN AWARD  
OF A CONTRACT OR SUBCONTRACT  
FOR PUBLIC WORKS PROJECTS

Pursuant to the settlement of People of the State of Illinois ex rel. Illinois Department of Labor v. Bill's Landscaping and Bill Brenner, Case No. 00 LM 681 (Kankakee Cir. Ct.), the Director of the Department of Labor gives notice that Bill's Landscaping and Bill Brenner, individually and in his official capacity, or any other officer, partner, shareholder or title holder of Bill's Landscaping, currently located at 793 South Elm Street, Kankakee, Illinois 60901, or any firm, corporation, partnership, or association in which Bill's Landscaping and/or Bill Brenner have an interest, are prohibited from bidding, accepting, or working on any contract or subcontract for a public works project covered by the Prevailing Wage Act, 820 ILCS 130/0.01 et seq. for two years from the date of this notice.

Copies of the Prevailing Wage Act are available on the internet at <<http://www.legis.state.il.us/ilcs/ch820act130.htm>>, and at the:

Illinois Department of Labor  
Conciliation and Mediation Division  
One West Old State Capital Plaza, Room 300  
Springfield, Illinois 62701-1217



## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

- 1) Heading of the Part: Retailers' Occupation Tax
- 2) Code Citation: 86 Ill. Adm. Code 130
- 3) Section Numbers: 130.330
- 4) Date Proposal published in Illinois Register: May 26, 2000, 24 Ill. Reg. 7617
- 5) Date Adoption published in Illinois Register: May 18, 2001, 25 Ill. Reg. 6515 (Effective May 3, 2001)

6) Summary and Purpose of Expedited Correction: The Agency is requesting an expedited correction to restore the omitted text outlined below. A rulemaking effective October 2, 2000 (proposed at 24 Ill. Reg. 3128 and adopted at 24 Ill. Reg. 15104) adopted this text, but overlapping rulemakings resulted in the background text of the later adoption (25 Ill. Reg. 6515) not including that adopted text.

The following is restored to Section 130.330(d)(3), which lists exempt uses:

F) The production or processing of food, including the use of baking equipment such as ovens to bake bread or other bakery items, whether that baking is performed by a central bakery or a retail grocery store.

The following is restored to Section 130.330(d)(4), which lists non-exempt uses:

J) The use of machinery or equipment used in the last step of the retail sale. Examples are paint mixing equipment used by a hardware store, embroidery or monogramming machines used by tee-shirt retailers and a sewing machine used to hem garments sold by a clothing store.

The following is restored to Section 130.330(g):

4) In the case of a vendor who makes sales of qualifying machinery or equipment to a contractor who will incorporate it into real estate so that he, the contractor, would be the taxable user (see Sections 130.1940 and 130.2075 of this Part), the purchasing contractor should provide the vendor with a certification that the machinery or equipment will be transferred to a manufacturer as manufacturing machinery or equipment in the performance of a construction contract for the manufacturer. The purchasing contractor should include the manufacturer's name and registration number on the certification when claiming the exemption.

## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

Punctuation is also adjusted to accommodate the addition of these subsections.

- 7) Information and questions regarding this request shall be directed to:

Jerilynn Gorden  
Senior Counsel, Sales & Excise Tax  
Illinois Department of Revenue  
Legal Services Office  
101 West Jefferson  
Springfield, Illinois 62794  
(217) 782-6996

## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUEPART 130  
RETAILERS' OCCUPATION TAX

## SUBPART A: NATURE OF TAX

Section	Character and Rate of Tax
130.101	Responsibility of Trustees, Receivers, Executors or Administrators
130.105	Occasional Sales
130.110	Sale of Used Motor Vehicles by Leasing or Rental Business
130.111	Habitual Sales
130.115	Nontaxable Transactions
130.120	

## SUBPART B: SALE AT RETAIL

Section	The Test of a Sale at Retail
130.201	Sales for Transfer Incident to Service
130.205	Sales of Tangible Personal Property to Purchasers for Resale
130.210	Further Illustrations of Sales for Use or Consumption Versus Sales for Resale
130.215	Sales to Lessors of Tangible Personal Property
130.220	Drop Shipments
130.225	

## SUBPART C: CERTAIN STATUTORY EXEMPTIONS

Section	Farm Machinery and Equipment
130.305	Food, Drugs, Medicines and Medical Appliances
130.310	Fuel Sold for Use in Vessels on Rivers Bordering Illinois
130.315	Gasohol
130.320	Fuel Used by Air Common Carriers in International Flights
130.321	Graphic Arts Machinery and Equipment Exemption
130.325	Manufacturing Machinery and Equipment
130.330	Manufacturer's Purchase Credit
130.331	Automatic Vending Machines that Dispense Hot Food or Beverages
130.332	Pollution Control Facilities
130.335	Rolling Stock
130.340	Oil Field Exploration, Drilling and Production Equipment
130.345	Coal Exploration, Mining, Off Highway Hauling, Processing, Maintenance and Reclamation Equipment
130.350	Aggregate Manufacturing
130.351	

## SUBPART D: GROSS RECEIPTS

Section	
130.701	

## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

Section	Meaning of Gross Receipts
130.401	How to Avoid Paying Tax on State or Local Tax Passed on to the Purchaser
130.405	Cost of Doing Business Not Deductible
130.410	Transportation and Delivery Charges
130.415	Finance or Interest Charges--Penalties--Discounts
130.420	Traded-In Property
130.425	Deposit or Prepayment on Purchase Price
130.430	State and Local Taxes Other Than Retailers' Occupation Tax
130.435	Penalties
130.440	Federal Taxes
130.445	Installation, Alteration and Special Service Charges
130.450	Motor Vehicle Leasing and Trade-In Allowances
130.455	

## SUBPART E: RETURNS

Section	Monthly Tax Returns--When Due--Contents
130.501	Quarterly Tax Returns
130.502	Returns and How to Prepare
130.505	Annual Tax Returns
130.510	First Return
130.515	Final Returns When Business is Discontinued
130.520	Who May Sign Returns
130.525	Returns Covering More Than One Location Under Same Registration--Separate Returns for Separately Registered Locations
130.530	Payment of the Tax, Including Quarterly Monthly Payments in Certain Instances
130.535	Returns on a Transaction by Transaction Basis
130.540	Registrants Must File a Return for Every Return Period
130.545	Filing of Returns for Retailers by Suppliers Under Certain Circumstances
130.550	Prepayment of Retailers' Occupation Tax on Motor Fuel
130.551	Vending Machine Information Returns
130.555	Verification of Returns
130.560	

## SUBPART F: INTERSTATE COMMERCE

Section	Preliminary Comments
130.601	Sales of Property Originating in Illinois
130.605	Sales of Property Originating in Other States
130.610	

## SUBPART G: CERTIFICATE OF REGISTRATION

Section	General Information on Obtaining a Certificate of Registration
130.701	



## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

130.705 Procedure in Disputed Cases Involving Financial Responsibility Requirements

130.710 Procedure When Security Must be Forfeited

130.715 Sub-Certificates of Registration

130.720 Separate Registrations for Different Places of Business of Same Taxpayer Under Some Circumstances

130.725 Display

130.730 Replacement of Certificate

130.735 Certificate Not Transferable

130.740 Certificate Required For Mobile Vending Units

130.745 Revocation of Certificate

## SUBPART H: BOOKS AND RECORDS

Section

130.801 General Requirements

130.805 What Records Constitute Minimum Requirement

130.810 Records Required to Support Deductions

130.815 Preservation and Retention of Records

130.820 Preservation of Books During Pendency of Assessment Proceedings

130.825 Department Authorization to Destroy Records Sooner Than Would Otherwise be Permissible

## SUBPART I: PENALTIES AND INTEREST

Section

130.901 Civil Penalties

130.905 Interest

130.910 Criminal Penalties

## SUBPART J: BINDING OPINIONS

Section

130.1001 When Opinions from the Department are Binding

## SUBPART K: SELLERS LOCATED ON, OR SHIPPING TO, FEDERAL AREAS

Section

130.1101 Definition of Federal Area

130.1105 When Deliveries on Federal Areas Are Taxable

130.1110 No Distinction Between Deliveries on Federal Areas and Illinois Deliveries Outside Federal Areas

## SUBPART L: TIMELY MAILING TREATED AS TIMELY FILING AND PAYING

Section

130.1201 General Information

130.1205 Due Date that Falls on Saturday, Sunday or a Holiday

## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

## SUBPART M: LEASED PORTIONS OF LESSOR'S BUSINESS SPACE

Section

130.1301 When Lessee of Premises Must File Return for Leased Department

130.1305 When Lessor of Premises Should File Return for Business Operated on Leased Premises

130.1310 Meaning of "Lessor" and "Lessee" in this Regulation

## SUBPART N: SALES FOR RESALE

Section

130.1401 Seller's Responsibility to Determine the Character of the Sale at the Time of the Sale

130.1405 Seller's Responsibility to Obtain Certificates of Resale and Requirements for Certificates of Resale

130.1410 Requirements for Certificates of Resale (Repealed)

130.1415 Resale Number--When Required and How Obtained

130.1420 Blanket Certificate of Resale (Repealed)

## SUBPART O: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

Section

130.1501 Claims for Credit--Limitations--Procedure

130.1505 Disposition of Credit Memoranda by Holders Thereof

130.1510 Refunds

130.1515 Interest

## SUBPART P: PROCEDURE TO BE FOLLOWED UPON SELLING OUT OR DISCONTINUING BUSINESS

Section

130.1601 When Returns are Required After a Business is Discontinued

130.1605 When Returns Are Not Required After Discontinuation of a Business

130.1610 Cross Reference to Bulk Sales Regulation

## SUBPART Q: NOTICE OF SALES OF GOODS IN BULK

Section

130.1701 Bulk Sales: Notices of Sales of Business Assets

## SUBPART R: POWER OF ATTORNEY

Section

130.1801 When Powers of Attorney May be Given

130.1805 Filing of Power of Attorney With Department

130.1810 Filing of Papers by Agent Under Power of Attorney

## SUBPART S: SPECIFIC APPLICATIONS

## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

Section	
130.1901	Addition Agents to Plating Baths
130.1905	Agricultural Producers
130.1910	Antiques, Curios, Art Work, Collectors' Coins, Collectors' Postage Stamps and Like Articles
130.1915	Auctioneers and Agents
130.1920	Barbers and Beauty Shop Operators
130.1925	Blacksmiths
130.1930	Chiropractists, Osteopaths and Chiropractors
130.1935	Computer Software
130.1940	Construction Contractors and Real Estate Developers
130.1945	Co-operative Associations
130.1950	Dentists
130.1951	Enterprise Zones
130.1952	Sales of Building Materials to a High Impact Business
130.1955	Farm Chemicals
130.1960	Finance Companies and Other Lending Agencies -- Installment Contracts -- Bad Debts
130.1965	Florists and Nurserymen
130.1970	Hatcheries
130.1971	Sellers of Pets and the Like
130.1975	Operators of Games of Chance and Their Suppliers
130.1980	Optometrists and Opticians
130.1985	Pawnbrokers
130.1990	Peddlers, Hawkers and Itinerant Vendors
130.1995	Personalizing Tangible Personal Property
130.2000	Persons Engaged in the Printing, Graphic Arts or Related Occupations, and Their Suppliers
130.2004	Sales to Nonprofit Arts or Cultural Organizations
130.2005	Persons Engaged in Nonprofit Service Enterprises and in Similar Enterprises Operated As Businesses, and Suppliers of Such Persons
130.2006	Sales by Teacher-Sponsored Student Organizations
130.2007	Exemption Identification Numbers
130.2008	Sales by Nonprofit Service Enterprises
130.2009	Personal Property Purchased Through Certain Fundraising Events for the Benefit of Certain Schools
130.2010	Persons Who Rent or Lease the Use of Tangible Personal Property to Others
130.2011	Sales to Persons Who Lease Tangible Personal Property to Exempt Hospitals
130.2012	Sales to Persons Who Lease Tangible Personal Property to Governmental Bodies
130.2015	Persons Who Repair or Otherwise Service Tangible Personal Property
130.2020	Physicians and Surgeons
130.2025	Picture-Framers
130.2030	Public Amusement Places
130.2035	Registered Pharmacists and Druggists
130.2040	Retailers of Clothing

## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

130.2045	Retailers on Premises of the Illinois State Fair, County Fairs, Art Shows, Flea Markets and the Like
130.2050	Sales and Gifts By Employers to Employees
130.2055	Sales by Governmental Bodies
130.2060	Sales of Alcoholic Beverages, Motor Fuel and Tobacco Products
130.2065	Sales of Automobiles for Use In Demonstration (Repealed)
130.2070	Sales of Containers, Wrapping and Packing Materials and Related Products
130.2075	Sales To Construction Contractors, Real Estate Developers and Speculative Builders
130.2076	Sales to Purchasers Performing Contracts with Governmental Bodies
130.2080	Sales to Governmental Bodies, Foreign Diplomats and Consular Personnel
130.2085	Sales to or by Banks, Savings and Loan Associations and Credit Unions
130.2090	Sales to Railroad Companies
130.2095	Sellers of Gasohol, Coal, Coke, Fuel Oil and Other Combustibles
130.2100	Sellers of Feeds and Breeding Livestock
130.2105	Sellers of Newspapers, Magazines, Books, Sheet Music and Recordings, and Their Suppliers; Transfers of Data Downloaded Electronically
130.2110	Sellers of Seeds and Fertilizer
130.2115	Sellers of Machinery, Tools and Special Order Items
130.2120	Suppliers of Persons Engaged in Service Occupations and Professions
130.2125	Trading Stamps and Discount Coupons
130.2130	Undertakers and Funeral Directors
130.2135	Vending Machines
130.2140	Vendors of Curtains, Slip Covers, Floor Covering and Other Similar Items Made to Order
130.2145	Vendors of Meals
130.2150	Vendors of Memorial Stones and Monuments
130.2155	Vendors of Signs
130.2156	Vendors of Steam
130.2160	Vendors of Tangible Personal Property Employed for Premiums, Advertising, Prizes, Etc.
130.2165	Veterinarians
130.2170	Warehousemen

## ILLUSTRATION A Examples of Tax Exemption Cards

AUTHORITY: Implementing the Illinois Retailers' Occupation Tax Act [35 ILCS 120] and authorized by Section 39b3 of the Civil Administrative Code of Illinois [20 ILCS 2505/39b3].

SOURCE: Adopted July 1, 1933; amended at 2 Ill. Reg. 50, p. 71, effective December 10, 1978; amended at 3 Ill. Reg. 12, p. 4, effective March 19, 1979; amended at 3 Ill. Reg. 13, pp. 93 and 95, effective March 25, 1979; amended at 3 Ill. Reg. 23, p. 164, effective June 3, 1979; amended at 3 Ill. Reg. 25, p. 229, effective June 17, 1979; amended at 3 Ill. Reg. 44, p. 193, effective



## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

October 19, 1979; amended at 3 Ill. Reg. 46, p. 52, effective November 2, 1979; amended at 4 Ill. Reg. 24, pp. 520, 539, 564 and 571, effective June 1, 1980; amended at 5 Ill. Reg. 818, effective January 2, 1981; amended at 5 Ill. Reg. 3014, effective March 11, 1981; amended at 5 Ill. Reg. 12782, effective November 2, 1981; amended at 6 Ill. Reg. 2860, effective March 3, 1982; amended at 6 Ill. Reg. 6780, effective May 24, 1982; codified at 6 Ill. Reg. 8229; recodified at 6 Ill. Reg. 8999; amended at 6 Ill. Reg. 15225, effective December 3, 1982; amended at 7 Ill. Reg. 7990, effective June 15, 1983; amended at 8 Ill. Reg. 5319, effective April 11, 1984; amended at 8 Ill. Reg. 19062, effective September 26, 1984; amended at 10 Ill. Reg. 1937, effective January 10, 1986; amended at 10 Ill. Reg. 12067, effective July 1, 1986; amended at 10 Ill. Reg. 19538, effective November 5, 1986; amended at 10 Ill. Reg. 19772, effective November 5, 1986; amended at 11 Ill. Reg. 4325, effective March 2, 1987; amended at 11 Ill. Reg. 6252, effective March 20, 1987; amended at 11 Ill. Reg. 18284, effective October 27, 1987; amended at 11 Ill. Reg. 18767, effective October 28, 1987; amended at 11 Ill. Reg. 19138, effective October 29, 1987; amended at 11 Ill. Reg. 19696, effective November 23, 1987; amended at 12 Ill. Reg. 5652, effective March 15, 1988; emergency amendment at 12 Ill. Reg. 14401, effective September 1, 1988, for a maximum of 150 days, modified in response to an objection of the Joint Committee on Administrative Rules at 12 Ill. Reg. 19531, effective November 4, 1988, not to exceed the 150 day time limit of the original rulemaking; emergency expired January 29, 1989; amended at 13 Ill. Reg. 11824, effective June 29, 1989; amended at 14 Ill. Reg. 241, effective December 21, 1989; amended at 14 Ill. Reg. 872, effective January 1, 1990; amended at 14 Ill. Reg. 15463, effective September 10, 1990; amended at 14 Ill. Reg. 16028, effective September 18, 1990; amended at 15 Ill. Reg. 6621, effective April 17, 1991; amended at 15 Ill. Reg. 13542, effective August 30, 1991; amended at 15 Ill. Reg. 15757, effective October 15, 1991; amended at 16 Ill. Reg. 1642, effective January 13, 1992; amended at 17 Ill. Reg. 860, effective January 11, 1993; amended at 17 Ill. Reg. 18142, effective October 4, 1993; amended at 17 Ill. Reg. 19651, effective November 2, 1993; amended at 18 Ill. Reg. 1537, effective January 13, 1994; amended at 18 Ill. Reg. 16866, effective November 7, 1994; amended at 19 Ill. Reg. 13446, effective September 12, 1995; amended at 19 Ill. Reg. 13568, effective September 11, 1995; amended at 19 Ill. Reg. 13968, effective September 18, 1995; amended at 20 Ill. Reg. 4428, effective March 4, 1996; amended at 20 Ill. Reg. 5366, effective March 26, 1996; amended at 20 Ill. Reg. 6991, effective May 7, 1996; amended at 20 Ill. Reg. 9116, effective July 2, 1996; amended at 20 Ill. Reg. 15753, effective December 2, 1996; expedited correction at 21 Ill. Reg. 4052, effective December 2, 1996; amended at 20 Ill. Reg. 16200, effective December 16, 1996; amended at 21 Ill. Reg. 12211, effective August 26, 1997; amended at 22 Ill. Reg. 3097, effective January 27, 1998; amended at 22 Ill. Reg. 11874, effective June 29, 1998; amended at 22 Ill. Reg. 19919, effective October 28, 1998; amended at 22 Ill. Reg. 21642, effective November 25, 1998; amended at 23 Ill. Reg. 9526, effective July 29, 1999; amended at 23 Ill. Reg. 9898, effective August 9, 1999; amended at 24 Ill. Reg. 10713, effective July 7, 2000; emergency amendment at 24 Ill. Reg. 11313, effective July 12, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15104, effective October 2, 2000;

## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

amended at 24 Ill. Reg. 18376, effective December 1, 2000; amended at 25 Ill. Reg. 941, effective January 8, 2001; emergency amendment at 25 Ill. Reg. 1792, effective January 16, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 4674, effective March 15, 2001; amended at 25 Ill. Reg. 4950, effective March 15, 2001; amended at 25 Ill. Reg. 5398, effective April 2, 2001; amended at 25 Ill. Reg. 6515, effective May 3, 2001; expedited correction at 25 Ill. Reg. 12896, effective May 3, 2001; amended at 25 Ill. Reg. 6713, effective May 9, 2001; amended at 25 Ill. Reg. 7264, effective May 25, 2001; amended at 25 Ill. Reg. 10917, effective August 13, 2001.

**Section 130.330 Manufacturing Machinery and Equipment**

- a) General. Notwithstanding the fact that the sales may be at retail, the Retailers' Occupation Tax does not apply to sales of machinery and equipment used primarily in the manufacturing or assembling of tangible personal property for wholesale or retail sale or lease. The exemption applies whether the sale or lease is made directly by the manufacturer or some other person. In certain cases purchases of machinery and equipment by a lessor will be exempt even though that lessor does not himself employ the machinery and equipment in an exempt manner.
- b) Manufacturing and Assembling.
- 1) This exemption exempts from tax only machinery and equipment used in manufacturing or assembling tangible personal property for sale or lease. Thus, the use of machinery and equipment in any industrial, commercial or business activity which may be distinguished from manufacturing or assembling will not be an exempt use and such machinery and equipment will be subject to tax.
  - 2) The manufacturing process is the production of any article of tangible personal property, whether such article is a finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by procedures commonly regarded as manufacturing, processing, fabricating or refining which changes some existing material or materials into a material with a different form, use or name. These changes must result from the process in question and be substantial and significant.
  - 3) The process or activity must be commonly regarded as manufacturing. To be so regarded, it must be thought of as manufacturing by the general public. Generally, the scale, scope and character of a process or operation will be considered to determine if such process or operation is commonly regarded as manufacturing. Manufacturing includes such activities as processing, fabricating and refining.
  - 4) Manufacturing does not include extractive industrial activities. Mining, logging, and drilling for oil, gas, and water neither produce articles of tangible personal property nor effect any

## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

significant or substantial change in the form, use or name of the materials or resources upon which they operate. The extractive process of quarrying does not constitute manufacturing. However, the activities subsequent to quarrying such as crushing, washing, sizing and blending will constitute manufacturing, and machinery and equipment used primarily therefor will qualify for the exemption, if the process results in the assembling of an article of tangible personal property with a different form, use or name than the material extracted.

- 5) The printing process is not commonly regarded as manufacturing and court decisions have found that printing is not manufacturing. Therefore, machinery and equipment used in any printing application will not qualify for exemption. This includes graphic arts, newspapers, books, etc. as well as other industrial or commercial applications. (However, see Section 130.325 for the Graphic Arts Machinery and Equipment Exemption.)
- 6) Agricultural, horticultural and related, similar or comparable activities, including commercial fishing, beekeeping, production of seedlings or seed corn, and the development of hybrid seeds, plants, or shoots, are not manufacturing or assembling and, accordingly, machinery and equipment used in such activities is subject to tax. (However, see Section 130.305 for the Farm Machinery and Equipment Exemption.)

- 7) The preparation of food and beverages by restaurants, food service establishments, and other retailers is not manufacturing. Assembling means the production of any article of tangible personal property, whether such article is a finished product or an article for use in the process of manufacturing or assembling a different article of tangible personal property, by the combination of existing materials in a manner commonly regarded as assembling which results in a material of a different form, use or name.

- 9) Effective September 1, 1988 manufacturing includes photoprocessing if the products of photoprocessing are sold. Machinery and equipment which would qualify for exemption includes, but are not limited to, developers, dryers, enlargers, mounting machines, roll film splicers, film developing image makers, disc film opening and spindling devices, film indexers, photographic paper exposure equipment, photographic paper developing machines, densitometers, print inspection devices, photo print/negative out assembly stations, film sleeve insertion machines, negative image producers, film coating equipment, photo transparency mounters, processor rack sanitizers, photo print emobssers, photo print mounting presses, graphic slide generators, chemical mixing equipment and paper exposure positioning and holding devices, etc. Cameras and equipment used to take pictures or expose film are not eligible as the photoprocessing begins after the film is exposed. Retail/net

## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

price calculation equipment and chemical reclamation equipment are not considered to be manufacturing machinery and equipment.

## c) Machinery and Equipment

- 1) The law exempts only the purchase and use of "machinery" and "equipment" used in manufacturing or assembling. Accordingly, no other type or kind of tangible personal property will qualify for the exemption, even though it may be used primarily in the manufacturing or assembling of tangible personal property for sale or lease.
- 2) Machinery means major mechanical machines or major components of such machines contributing to a manufacturing or assembling process: including, machinery and equipment used in the general maintenance or repair of such exempt machinery and equipment or for in-house manufacture of exempt machinery and equipment.
- 3) Equipment includes any independent device or tool separate from any machinery but essential to an integrated manufacturing or assembling process: including computers used primarily in operating exempt machinery and equipment in a computer-assisted design, computer-assisted manufacturing (CAD/CAM) system; or any subunit or assembly comprising a component of any machinery or auxiliary, adjunct, or attachment, parts of machinery, such as tools, dies, jigs, fixtures, patterns and molds, and any parts which require periodic replacement in the course of normal operation. The exemption does not include hand tools, supplies (such as rags, sweeping or cleaning compounds), coolants, lubricants, adhesives, or solvents, items of personal apparel (such as gloves, shoes, glasses, goggles, coveralls, aprons, masks, mask air filters, belts, harnesses, or holsters), coal, fuel oil, electricity, natural gas, artificial gas, steam, refrigerants or water. (Section 2-45 of the Act)
- 4) The exemption includes the sale of materials to a purchaser who manufactures such materials into an exempted type of machinery or equipment or tools which such purchaser uses himself in the manufacturing of tangible personal property or leases to a manufacturer of tangible personal property. However, such purchaser must maintain adequate records clearly demonstrating the incorporation of such materials into exempt machinery and equipment.
- 5) Machinery and equipment does not include foundations for, or special purpose buildings to house or support, machinery and equipment.
- 6) The exemption includes chemicals acting as catalysts only if they effect a direct and immediate change upon a product being manufactured or assembled for sale or lease. The following examples are illustrative:
  - A) Example 1. A chemical acid is used to etch copper off the surface of a printed circuit board during the manufacturing process. The acid causes a direct and immediate change upon



## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

the product. The acid qualifies for the exemption.

- B) Example 2. An aluminum oxide catalyst is used in a catalytic cracking process to refine heavy gas oil into gasoline. In this process, large molecules of gas oil or feed are broken up into smaller molecules. After the catalyst is injected into the feed and used in the cracking process, it is drawn off and reused in subsequent manufacturing processes. The catalyst qualifies for the exemption.

## d) Primary Use

- 1) The law requires that machinery and equipment be used primarily in manufacturing or assembling. Therefore, machinery which is used primarily in an exempt process and partially in a nonexempt manner would qualify for exemption. However, the purchaser must be able to establish through adequate records that the machinery or equipment is used over 50 percent in an exempt manner in order to claim the deduction.
- 2) The fact that particular machinery or equipment may be considered essential to the conduct of the business of manufacturing or assembling because its use is required by law or practical necessity does not, of itself, mean that machinery or equipment is used primarily in manufacturing or assembling.
- 3) By way of illustration and not limitation, the following activities will generally be considered to constitute an exempt use:
  - A) The use of machinery or equipment to effect a direct and immediate physical change upon the tangible personal property to be sold;
  - B) The use of machinery or equipment to guide or measure a direct and immediate physical change upon the tangible personal property to be sold, provided such function is an integral and essential part of tuning, verifying, or aligning the component parts of such property;
  - C) The use of machinery or equipment to inspect, test or measure the tangible personal property to be sold where such function is an integral part of the production flow;
  - D) The use of machinery and equipment to convey, handle, or transport the tangible personal property to be sold within production stations on the production line or directly between such production stations or buildings within the same plant;
  - E) The use of machinery or equipment to place the tangible personal property to be sold into the container, package, or wrapping in which such property is normally sold where such machinery or equipment is used as a part of an integrated manufacturing process;
  - F) The production or processing of food, including the use of baking equipment such as ovens to bake bread or other bakery items, whether that baking is performed by a central bakery

## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

or a retail grocery store.

- 4) By way of illustration and not limitation, the following activities will generally not be considered to be manufacturing:
  - A) The use of machinery or equipment in the construction, reconstruction, alteration, remodeling, servicing, repairing, maintenance, or improvement of real estate;
  - B) The use of machinery or equipment in research and development of new products or production techniques, machinery, or equipment;
  - C) The use of machinery or equipment to store, convey, handle or transport materials or parts or sub-assemblies prior to their entrance into the production cycle;
  - D) The use of machinery or equipment to store, convey, handle or transport finished articles of tangible personal property to be sold or leased after completion of the production cycle;
  - E) The use of machinery or equipment to transport work in process, or semifinished goods, between plants;
  - F) The use of machinery or equipment in managerial, sales, or other nonproduction, nonoperational activities including disposal of waste, scrap or residue, inventory control, production scheduling, work routing, purchasing, receiving, accounting, fiscal management, general communications, plant security, sales, marketing, product exhibition and promotion, or personnel recruitment, selection or training;
  - G) The use of machinery or equipment to prevent or fight fires or to protect employees, such as protective equipment face masks, helmets, gloves, coveralls, and goggles or for safety, accident protection or first aid even though such machinery or equipment may be required by law;
  - H) The use of machinery or equipment for general ventilation, heating, cooling, climate control or general illumination, not required by the manufacturing process;
  - I) The use of machinery or equipment in the preparation of food and beverages by a retailer for retail sale, i.e., restaurants, vending machines, food service establishments, etc.;
  - J) The use of machinery or equipment used in the last step of the retail sale. Examples are paint mixing equipment used by a hardware store, embroidery or monogramming machines used by tee-shirt retailers and a sewing machine used to hem garments sold by a clothing store.
- 5) An item of machinery or equipment which initially is used primarily in manufacturing or assembling and having been so used for less than one-half of the useful life is converted to primarily nonexempt uses will become subject to tax at the time of the conversion. Such tax will be collected on such portion of

## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

the price of the machinery or equipment as was excluded from tax at the time the sale or purchase was made.

## e) Product Use

- 1) The statute requires that the product produced as a result of the manufacturing or assembling process be tangible personal property for sale or lease. Accordingly, a manufacturer or assembler who uses any significant portion of the output of his machinery or equipment, either for internal consumption or any other nonexempt use, or a lessor who leases otherwise exempt machinery and equipment to such a manufacturer or assembler, will not be eligible to claim the exemption on that machinery and equipment. No apportionment of production capacity between output for sale or lease and output for self-use will be permitted and no partial exemption for any item of machinery and equipment will be allowed.

- 2) The production of articles of tangible personal property for sale, a portion of which is diverted by the manufacturer thereof to use as sales samples or as the subjects of quality control testing which renders the articles unfit for sale, will nevertheless be deemed to be production for sale, provided such diversion represents only a small portion of the production of the articles of tangible personal property or of the sale of those articles.

- 3) Machinery and equipment used in the performance of a service, such as dry cleaning, is not used in the production of tangible personal property for sale and is thus taxable. However, a manufacturer or assembler who uses machinery and equipment to produce goods for sale or lease by himself or another, or to perform assembly or fabricating work for a customer who retains the manufacturer or assembler only for his services, will not be liable for tax on the machinery and equipment he uses as long as the goods produced either for himself or another are destined for sale or lease, rather than for use and consumption.

## f) Sales to Lessors of Manufacturers

- 1) For this exemption to apply, the purchaser need not himself employ the exempt machinery or equipment in manufacturing. If the purchaser leases that machinery or equipment to a lessee-manufacturer who uses it in an exempt manner, the sale to the purchaser-lessee will be exempt from tax. A supplier may exclude such sales from his taxable gross receipts provided the purchaser-lessee provides to him a properly completed exemption certificate and the information contained herein would support an exemption if the sale were made directly to the lessee-manufacturer.

- 2) Should a purchaser-lessee subsequently lease the machinery or equipment to a lessee who does not use it in a manner that would qualify directly for the exemption, the purchaser-lessee will become liable for the tax from which he was previously exempted.

## ILLINOIS DEPARTMENT OF REVENUE

## REQUEST FOR EXPEDITED CORRECTION

## g) Exemption Certificates

- 1) The user of such machinery or equipment and tools shall prepare a certificate of exemption for each transaction stating facts establishing the exemption for that transaction and submit the certificate to the retailer. The certificates shall be retained by the retailer and shall be made available to the Department for inspection or audit. The Department shall prescribe the form of the certificate. If the user has an active registration or resale number, that number may be given in lieu of the prescribed certificate.

- 2) If a manufacturer or lessor purchases at retail from a vendor who is not registered to collect Illinois Use Tax, the purchaser must prepare and retain in his files, the completed exemption certificate. The exemption certificate shall be available to the Department for inspection or audit.

- 3) A vendor who makes sales of machinery or equipment to a manufacturer or lessor of a manufacturer must collect Use Tax, and will owe Retailers' Occupation Tax, on that sale unless the purchaser certifies the exempt nature of the purchase to the vendor as set out above. The Summary Schedule, RR-586, must be submitted in lieu of taxes at the time the taxes are due.

- 4) In the case of a vendor who makes sales of qualifying machinery or equipment to a contractor who will incorporate it into real estate so that he, the contractor, would be the taxable user (see Sections 130.1940 and 130.2075 of this Part), the purchasing contractor should provide the vendor with a certification that the machinery or equipment will be transferred to a manufacturer as manufacturing machinery or equipment in the performance of a construction contract for the manufacturer. The purchasing contractor should include the manufacturer's name and registration number on the certification when claiming the exemption.

## h) Opinions and Rulings

Informal ruling and opinion letters issued by the Department regarding the coverage and applicability of this exemption to specific devices will be maintained by the Department in Springfield. They will be available for public inspection and may be copied or reproduced at taxpayer's expense. Trade secrets or other confidential information in such letters will be deleted prior to release to public access files.

(Source: Amended at 25 Ill. Reg. 653.5, effective May 3, 2001; expedited correction at 25 Ill. Reg. 12.853.6, effective May 3, 2001)



## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF WITHDRAWAL OF PROPOSED AMENDMENT

1) Heading of the Part: Minimum Standards for Certification of Developmental Training Programs

2) Code Citation: 59 Ill. Adm. Code 119

<u>Section Numbers:</u>	<u>Proposed Action:</u>
119.120	Amend
119.300	Amend
119.305	Amend
119.325	Amend
119.330	Amend

4) Date Notice of Proposed Amendments Published in the Illinois Register:  
August 10, 2001, 25 Ill. Reg. 10075

5) Reason for the Withdrawal The authorizing statute at 20 ILCS 1705/15.2 requires that certification of Developmental Training (DT) sites be completed annually, thereby precluding the Department from implementing these proposed amendments.

## Section 530.110 Covered Prescription Drugs

a) Drugs, which fall within the following categories and are prescribed by a physician licensed to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987 [225 ILCS 60], physician assistant licensed pursuant to the Physician Assistant Practice Act of 1987 [225 ILCS 95], or advanced practice nurse licensed pursuant to Title 15 of the Nursing and Advanced Practice Nursing Act [225 ILCS 65/Title 15] for treatment of heart disease and its related conditions, qualify for inclusion in the Pharmaceutical Assistance Program as covered prescription drugs:

- 1) Antihypertensive
- 2) Antianginal
- 3) Antiarrhythmic
- 4) Antihyperlipidemic
- 5) Beta Blocker
- 6) Digitalis Glycosides
- 7) Hypertension/Shock
- 8) Diuretics
- 9) Potassium
- 10) Anticoagulants

b) Drugs purchased on or after January 1, 1987, which fall within the following categories and are prescribed by a physician licensed to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987, physician assistant licensed pursuant to the Physician Assistant Practice Act of 1987, or advanced practice nurse licensed pursuant to Title 15 of the Nursing and Advanced Practice Nursing Act for the treatment of diabetes, qualify for inclusion in the Pharmaceutical Assistance Program as covered prescription drugs:

- 1) Insulin
- 2) Insulin, Syringes & Needles
- 3) Oral Hypoglycemics
- 4) Pituitary Hormones
- 5) Glucose Elevators

c) Drugs purchased on or after January 1, 1987, which fall within the following categories and are prescribed by a physician licensed to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987, physician assistant licensed pursuant to the Physician Assistant Practice Act of 1987, or advanced practice nurse licensed pursuant to Title 15 of the Nursing and Advanced Practice Nursing Act for the treatment of arthritis, qualify for inclusion in the Pharmaceutical Assistance Program as covered prescription drugs:

- 1) Hormones/Adrenal Cortical Steroids
- 2) Analgesics/Antirheumatic
- 3) Analgesics/Nonopiate Agonists
- 4) Antiprotozoals
- 5) Penicillamine
- 6) Analgesics/Narcotic Antagonists: Gout
- 7) Oncolytic/Antineoplastic: Antimetabolites
- 8) Immunosuppressives

d) Drugs purchased on or after January 1, 2001, which fall within the

following categories and are prescribed by a physician licensed to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987, physician assistant licensed pursuant to the Physician Assistant Practice Act of 1987, or advanced practice nurse licensed pursuant to Title 15 of the Nursing and Advanced Practice Nursing Act for the treatment of cancer, qualify for inclusion in the Pharmaceutical Assistance Program as covered prescription drugs:

- 1) Alkylating Agents
- 2) Antimetabolites
- 3) Antimitotic Agents
- 4) Epipodophyllotoxins
- 5) Antibiotics
- 6) Hormones
- 7) Enzymes
- 8) Platinum Coordination Complex
- 9) Anthracenedione
- 10) Substituted Ureas
- 11) Methylhydrazine Derivatives
- 12) Cytoprotective Agents
- 13) DNA Topoisomerase Inhibitors
- 14) Biological Response Modifiers
- 15) Retinoids
- 16) Monoclonal Antibodies
- 17) Miscellaneous Antineoplastics
- 18) Narcotic Agonist Analgesics
- 19) Narcotic Analgesic Combinations
- 20) Anticonvulsants

e) Drugs purchased on or after January 1, 2001, which fall within the following categories and are prescribed by a physician licensed to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987, physician assistant licensed pursuant to the Physician Assistant Practice Act of 1987, or advanced practice nurse licensed pursuant to Title 15 of the Nursing and Advanced Practice Nursing Act for the treatment of Alzheimer's disease, qualify for inclusion in the Pharmaceutical Assistance Program as covered prescription drugs:

- 1) Cholinesterase Inhibitors
- 2) Antipsychotics

f) Drugs purchased on or after January 1, 2001, which fall within the following categories and are prescribed by a physician licensed to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987, physician assistant licensed pursuant to the Physician Assistant Practice Act of 1987, or advanced practice nurse licensed pursuant to Title 15 of the Nursing and Advanced Practice Nursing Act for the treatment of Parkinson's disease, qualify for inclusion in the Pharmaceutical Assistance Program as covered prescription drugs:

- 1) Anticholinergics
- 2) Amantadine
- 3) Bromocriptine Mesylate
- 4) Carbidopa

- 5) Levodopa
- 6) Levodopa and Carbidopa
- 7) Pergolide Mesylate
- 8) Selegiline Hydrochloride
- 9) Entacapone
- 10) Tolcapone
- 11) Dopaminergics
- 12) Clonazepam

g) Drugs purchased on or after January 1, 2001, which fall within the following categories and are prescribed by a physician licensed to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987, therapeutically certified optometrist licensed pursuant to the Illinois Optometric Practice Act of 1987 [225 ILCS 80/15.1], physician assistant licensed pursuant to the Physician Assistant Practice Act of 1987, or advanced practice nurse licensed pursuant to Title 15 of the Nursing and Advanced Practice Nursing Act for the treatment of glaucoma, qualify for inclusion in the Pharmaceutical Assistance Program as covered prescription drugs:

- 1) Alpha-2 Adrenergic Agonists
- 2) Sympathomimetics
- 3) Alpha-Adrenergic Blocking Agents
- 4) Beta-Adrenergic Blocking Agents
- 5) Miotics, Direct Acting
- 6) Miotics, Cholinesterase Inhibitors
- 7) Carbonic Anhydrase Inhibitors
- 8) Prostaglandin Agonists
- 9) Miscellaneous Combinations

h) Drugs purchased on or after January 1, 2001, which fall within the following categories and are prescribed by a physician licensed to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987, physician assistant licensed pursuant to the Physician Assistant Practice Act of 1987, or advanced practice nurse licensed pursuant to Title 15 of the Nursing and Advanced Practice Nursing Act for the treatment of lung disease and smoking related illnesses, qualify for inclusion in the Pharmaceutical Assistance Program as covered prescription drugs:

- 1) Sympathomimetic Bronchodilators
- 2) Diluents
- 3) Xanthine Derivatives
- 4) Anticholinergic Bronchodilators
- 5) Leukotriene Receptor Antagonists
- 6) Leukotriene Formation Inhibitors
- 7) Corticosteroid Respiratory Inhalants
- 8) Mucolytics
- 9) Mast Cell Stabilizers
- 10) Respiratory Enzymes
- 11) Digestive Enzymes
- 12) Antiasthmatic Combinations
- 13) Antituberculous Agents
- 14) Zyan
- 15) Nicotine



- i) Drugs purchased on or after July 1, 2001, which fall within the following categories and are prescribed by a physician licensed to practice medicine in all of its branches pursuant to the Medical Practice Act of 1987, physician assistant licensed pursuant to the Physician Assistant Practice Act of 1987, or advanced practice nurse licensed pursuant to Title 15 of the Nursing and Advanced Practice Nursing Act for the treatment of osteoporosis, qualify for inclusion in the Pharmaceutical Assistance Program as covered prescription drugs:

- 1) Bisphosphonates
- 2) Selective Estrogen Receptor Modulators
- 3) Calcitonin-Salmon

- j) The specific covered prescription drugs which fall within each category will be listed in a handbook to be prepared and disseminated on the internet Web site of the Department. Updates regarding changes in the categories and specific covered prescription drugs will be made as necessary.

(Source: Amended by emergency rulemaking at 25 Ill. Reg. 8449, effective July 1, 2001, for a maximum of 150 days; emergency amendment modified in response to an objection of the Joint Committee on Administrative Rules at 25 Ill. Reg. 10947, not to exceed the 150-day limit of the original rulemaking.)

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
OCTOBER 16, 2001

NOTICES: The scheduled date and time for the JCAR meeting are subject to change. Due to Register submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting and items from the list can be postponed to future meetings.

*members of the public wish to express their views with respect to a rulemaking, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:*

Joint Committee on Administrative Rules  
700 Stratton Office Building  
Springfield, Illinois 62706  
Email: [icar@legis.state.il.us](mailto:icar@legis.state.il.us)  
Phone: 217/785-2254

## RULEMAKINGS CURRENTLY BEFORE JCAR

## PROPOSED RULEMAKINGS

Capital Development Board

1. Standards for Award of Grants: School Construction Program (71 Ill Adm Code 40)  
-First Notice Published: 25 Ill Reg 8054 - 7/6/01  
-Expiration of Second Notice: 10/18/01

Central Management Services

2. Pay Plan (80 Ill Adm Code 310)  
-First Notice Published: 25 Ill Reg 8911 - 7/20/01  
-Expiration of Second Notice: 10/24/01
3. Pay Plan (80 Ill Adm Code 310)  
-First Notice Published: 25 Ill Reg 5774 - 5/4/01  
-Expiration of Second Notice: 10/26/01
4. Pay Plan (80 Ill Adm Code 310)  
-First Notice Published: 25 Ill Reg 7008 - 6/8/01  
-Expiration of Second Notice: 10/31/01

Children and Family Services

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
OCTOBER 16, 2001

5. Services Delivered by the Department of Children and Family Services (89 Ill Adm Code 302)  
-First Notice Published: 25 Ill Reg 8070 - 7/6/01  
-Expiration of Second Notice: 11/7/01

Comptroller

6. Access to Information (2 Ill Adm Code 625) (Internal Rulemaking)  
-Published: 25 Ill Reg 8319 - 7/6/01

7. Standard Procurement (44 Ill Adm Code 1120)  
-First Notice Published: 25 Ill Reg 8475 - 7/13/01  
-Expiration of Second Notice: 10/19/01

Education

8. Public Schools Evaluation, Recognition and Supervision (23 Ill Adm Code 1)  
-First Notice Published: 25 Ill Reg 8968 - 7/20/01  
-Expiration of Second Notice: 11/7/01

9. Certification (23 Ill Adm Code 25)  
-First Notice Published: 25 Ill Reg 8929 - 7/20/01  
-Expiration of Second Notice: 11/7/01

Human Services

10. Practice in Administrative Hearings (89 Ill Adm Code 14)  
-First Notice Published: 25 Ill Reg 9458 - 7/27/01  
-Expiration of Second Notice: 11/4/01

11. Child Care (89 Ill Adm Code 50)  
-First Notice Published: 25 Ill Reg 8084 - 7/6/01  
-Expiration of Second Notice: 11/4/01

12. Temporary Assistance for Needy Families (89 Ill Adm Code 112)  
-First Notice Published: 25 Ill Reg 6012 - 5/11/01  
-Expiration of Second Notice: 10/18/01

Natural Resources

13. Duck, Goose and Coot Hunting (17 Ill Adm Code 590)

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
OCTOBER 16, 2001

- First Notice Published: 25 Ill Reg 9555 - 7/27/01  
-Expiration of Second Notice: 11/9/01

14. The Taking of Wild Turkeys - Spring Season (17 Ill Adm Code 710)  
-First Notice Published: 25 Ill Reg 9810 - 8/3/01  
-Expiration of Second Notice: 11/9/01

15. Department Revocation Procedures (17 Ill Adm Code 2530)  
-First Notice Published: 25 Ill Reg 9806 - 8/3/01  
-Expiration of Second Notice: 11/10/01

Nuclear Safety

16. Fees for Analytical Testing of Community Drinking Water Supply Samples for Radionuclides (32 Ill Adm Code 336)  
-First Notice Published: 25 Ill Reg 10091 - 8/10/01  
-Expiration of Second Notice: 11/10/01

Pollution Control Board

17. Livestock Waste Regulations (35 Ill Adm Code 506)  
-First Notice Published: 25 Ill Reg 3121 - 3/2/01  
-Expiration of Second Notice: 10/23/01

Procurement Policy Board

18. General Policies (2 Ill Adm Code 3002)  
-First Notice Published: 25 Ill Reg 10093 - 8/10/01  
-Expiration of Second Notice: 11/10/01

Professional Regulation

19. Respiratory Care Practice Act (68 Ill Adm Code 1456)  
-First Notice Published: 25 Ill Reg 9599 - 7/27/01  
-Expiration of Second Notice: 11/4/01

Public Aid

20. Medical Payment (89 Ill Adm Code 140)  
-First Notice Published: 25 Ill Reg 7808 - 6/29/01  
-Expiration of Second Notice: 11/10/01



## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
OCTOBER 16, 2001

21. Medical Payment (89 Ill Adm Code 140)  
-First Notice Published: 25 Ill Reg 8098 - 7/6/01  
-Expiration of Second Notice: 10/20/01
22. Long Term Care Reimbursement Changes (89 Ill Adm Code 153)  
-First Notice Published: 25 Ill Reg 8755 - 7/13/01  
-Expiration of Second Notice: 11/10/01

Public Health

23. Emergency Medical Services and Trauma Center Code (77 Ill Adm Code 515)  
-First Notice Published: 25 Ill Reg 4394 - 3/30/01  
-Expiration of Second Notice: 10/18/01

Racing Board

24. Pari-Mutuels (11 Ill Adm Code 300)  
-First Notice Published: 25 Ill Reg 7861 - 6/29/01  
-Expiration of Second Notice: 10/27/01

25. Illinois Racing Board (11 Ill Adm Code 200)  
-First Notice Published: 25 Ill Reg 7855 - 6/29/01  
-Expiration of Second Notice: 10/27/01

26. Disciplinary Rules (11 Ill Adm Code 211)  
-First Notice Published: 25 Ill Reg 7836 - 6/29/01  
-Expiration of Second Notice: 10/27/01

27. Illinois Racing Board (Repeal) (11 Ill Adm Code 1301)  
-First Notice Published: 25 Ill Reg 7858 - 6/29/01  
-Expiration of Second Notice: 10/27/01

28. Violations (Repeal) (11 Ill Adm Code 1303)  
-First Notice Published: 25 Ill Reg 7878 - 6/29/01  
-Expiration of Second Notice: 10/27/01

29. Fines, Suspension, and Expulsion (Repeal) (11 Ill Adm Code 1322)  
-First Notice Published: 25 Ill Reg 7842 - 6/29/01  
-Expiration of Second Notice: 10/27/01

30. Protests and Appeals (Repeal) (11 Ill Adm Code 1323)  
-First Notice Published: 25 Ill Reg 7864-6/29/01

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
OCTOBER 16, 2001

- Expiration of Second Notice: 10/27/01
31. Stewards (11 Ill Adm Code 1402)  
-First Notice Published: 25 Ill Reg 7868 - 6/29/01  
-Expiration of Second Notice: 10/27/01

Transportation

32. Airport Land Loan Program (92 Ill Adm Code 15)  
-First Notice Published: 25 Ill Reg 8989 - 7/20/01  
-Expiration of Second Notice: 10/20/01

Treasurer

33. Illinois Public Treasurers92 Investment Pool for Public Treasurers in the State of Illinois (74 Ill Adm Code 740)  
-First Notice Published: 25 Ill Reg 7882 - 6/29/01  
-Expiration of Second Notice: 10/20/01

**EMERGENCY AND PEREMPTORY RULEMAKINGS**Agriculture

34. Meat and Poultry Inspection Act (8 Ill Adm Code 125) (Peremptory)  
-Notice Published: 25 Ill Reg 12434 - 9/28/01

35. Illinois AgriFIRST Program Act (8 Ill Adm Code 950) (Emergency)  
-Notice Published: 25 Ill Reg 12098 - 9/21/01

Central Management Services

36. Conditions of Employment (80 Ill Adm Code 303) (Emergency)  
-Notice Published: 25 Ill Reg 12429 - 9/28/01

Commerce Commission

37. Customer Credits (83 Ill Adm Code 732) (Emergency)  
-Notice Published: 25 Ill Reg 10219 - 8/10/01

38. Standards of Service Applicable to Wireless 9-1-1 Emergency Systems (83 Ill Adm Code 728) (Emergency)  
-Notice Published: 25 Ill Reg 12118 - 9/21/01

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
OCTOBER 16, 2001

Education

39. Certification (23 Ill Adm Code 25) (Emergency)  
-Notice Published: 25 Ill Reg 11935 - 9/14/01

Employment Security

40. Disqualifying Income and Reduced Benefits (56 Ill Adm Code 2920) (Emergency)  
-Notice Published: 25 Ill Reg 10226 - 8/10/01

Human Services

41. Temporary Assistance for Needy Families (89 Ill Adm Code 112) (Emergency)  
-Notice Published: 25 Ill Reg 11584 - 9/7/01

Natural Resources

42. Sport Fishing Regulations for the Waters of Illinois (17 Ill Adm Code 810) (Emergency)  
-Notice Published: 25 Ill Reg 9912 - 8/3/01

43. Sport Fishing Regulations For the Waters of Illinois (17 Ill Adm Code 810) (Emergency)  
-Notice Published: 25 Ill Reg 12122 - 9/21/01

Nuclear Safety

44. Fees for Analytical Testing of Community Drinking Water Supply Samples for Radionuclides (32 Ill Adm Code 336) (Emergency)  
-Notice Published: 25 Ill Reg 10233 - 8/10/01

Public Aid

45. Medical Assistance Programs (89 Ill Adm Code 120) (Emergency)  
-Notice Published: 25 Ill Reg 10533 - 8/17/01

46. Hospital Services (89 Ill Adm Code 148) (Emergency)  
-Notice Published: 25 Ill Reg 9974 - 8/3/01

Secretary of State

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
OCTOBER 16, 2001

47. Uniform Commercial Code (14 Ill Adm Code 180) (Emergency)  
-Notice Published: 25 Ill Reg 9984 - 8/3/01

48. Issuance of Licenses (92 Ill Adm Code 1030) (Emergency)  
-Notice Published: 25 Ill Reg 12658 - 10/5/01

EXEMPT RULEMAKINGSPollution Control Board

49. Pretreatment Programs (35 Ill Adm Code 310)  
-Proposed Date: 6/8/01  
-Adopted Date: 8/24/01

50. Sewer Discharge Criteria (35 Ill Adm Code 307)  
-Proposed Date: 6/8/01  
-Adopted Date: 8/24/01

51. UIC Permit Program (35 Ill Adm Code 704)  
-Proposed Date: 5/25/01  
-Adopted Date: 8/31/01

EXPEDITED CORRECTIONSIllinois Commerce Commission

52. Requirements for Non-Business Entities with Private Business Switch Service to Comply with the Emergency Telephone System Act (83 Ill Adm Code 727)  
-Notice Published: 25 Ill Reg 10546 - 8/17/01

53. Non-Discrimination in Affiliate Transactions for Gas Utilities (83 Ill Adm Code 550;)  
-Notice Published: 25 Ill Reg 12665 -10/15/01

Insurance

54. Internal Security Standards and Fidelity Bonds (50 Ill Adm Code 5501)  
-Notice Published: 25 Ill Reg 11619 - 9/7/01

AGENCY RESPONSES



## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## NEXT TENTATIVELY SCHEDULED MEETING:

JAMES R. THOMPSON CENTER  
ROOM 16-503  
CHICAGO, ILLINOIS  
10:30 A.M.  
OCTOBER 16, 2001

Central Management Services

55. Pay Plan (80 Ill Adm Code 310; 25 Ill Reg 3058)

Revenue

56. Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act (86 Ill Adm Code 530; 25 Ill Reg 8449)

State Board of Education

57. Certification (23 Ill Adm Code 25; 25 Ill Reg 9360)

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of September 24, 2001 through October 1, 2001 and have been scheduled for review by the Committee at its October 16, 2001 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start Of First Notice	JCAR Meeting
11/7/01	Department of Children and Family Services, Services Delivered by the Department of Children and Family Services (89 Ill Adm Code 302)	7/6/01 25 Ill Reg 8070	10/16/01
11/9/01	Department of Natural Resources, Duck, Goose and Coot Hunting (17 Ill Adm Code 590)	7/27/01 25 Ill Reg 9555	10/16/01
11/9/01	Department of Natural Resources, The Taking of Wild Turkeys - Spring Season (17 Ill Adm Code 710)	8/3/01 25 Ill Reg 9810	10/16/01
11/10/01	Department of Nuclear Safety, Fees for Analytical Testing of Community Drinking Water Supply Samples for Radionuclides (32 Ill Adm Code 336)	8/10/01 25 Ill Reg 10091	10/16/01
11/10/01	Procurement Policy Board, General Policies (2 Ill Adm Code 3002)	8/10/01 25 Ill Reg 10093	10/16/01
11/10/01	Department of Natural Resources, Department Revocation Procedures (17 Ill Adm Code 2530)	8/3/01 25 Ill Reg 9806	10/16/01
11/10/01	Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	6/29/01 25 Ill Reg 7808	10/16/01
11/10/01	Department of Public Aid, Long Term Care Reimbursement Changes (89 Ill Adm Code 153)	7/13/01 25 Ill Reg 8755	10/16/01

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY  
  
NOTICE OF PUBLICATION ERROR  
  
DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

Heading of the Part: Pay Plan

Code Citation: 80 Ill Adm Code 310

Date Proposed Amendment Published in the Illinois Register: March 2, 2001, 25 Ill Adm Code 3058

Date Adopted Amendment Published in the Illinois Register: September 21, 2001, 25 Ill Adm Code 12087

The rule text of the above-referenced rulemaking that was submitted by DCMS for both Illinois Register publication and filing with the Secretary of State correctly reflected changes made to designated pay rates by amendments adopted earlier in the 8/3/01 Illinois Register. However, the text published in the 9/21/01 Illinois Register failed to reflect those earlier amendments to other pay rates. The Joint Committee regrets any confusion this oversight may have caused. A correct copy of the affected section appears following this Notice.

Section 310.280 Designated Rate

The rate of pay for a specific position or class of positions where it is deemed desirable to exclude such from the other requirements of this Pay Plan shall be only as designated by the Governor.

Department of Commerce & Community Affairs

Public Information Officer IV  
(Pos. No. 37004-42-00-005-10-01)  
Annual Salary  
64,932

Public Service Administrator  
(Pos. No. 37015-42-35-110-10-03)  
Annual Salary  
78,612

Public Service Administrator  
(Pos. No. 37015-42-35-140-20-01)  
Annual Salary  
87,720

Department of Human Services

Medical Administrator I, Option D  
(Pos. No. 26401-10-79-006-00-21)  
Annual Salary  
142,368

Public Service Administrator  
(Pos. No. 37015-10-23-100-30-01)  
Annual Salary  
76,572

Senior Public Service Administrator  
(Pos. No. 40070-10-65-000-00-01)  
Annual Salary  
105,475

Senior Public Service Administrator  
(Pos. No. 40070-10-81-920-00-21)  
Annual Salary  
105,480

Illinois State and Local Labor Relations Board

Private Secretary II  
(Pos. No. 34202-50-19-000-00-01)  
Annual Salary  
51,900

Department of Natural Resources

Administrative Assistant II  
(Pos. No. 00502-12-30-000-20-01)  
Annual Salary  
50,520

Department of Revenue

Senior Public Service Administrator  
(Pos. No. 37015-25-61-140-80-01)  
Annual Salary  
76,668

Department of State Police

Senior Public Service Administrator  
(Pos. No. 40070-21-10-000-00-01)  
Annual Salary  
109,358



Source: Amended at 25 Ill. Reg. 12087, effective September 6, 2001.)

## PROCLAMATIONS

2001-500

## A DAY OF PRAYER AND REMEMBRANCE IN ILLINOIS

WHEREAS, the United States suffered the most heinous terrorist attack in its history on Tuesday, September 11, 2001; and

WHEREAS, these acts of violence committed by faceless cowards have resulted in thousands of deaths and injuries to innocent people, including hundreds of heroic rescue personnel responding to the disaster at New York's World Trade Center; and

WHEREAS, these terrorist attacks are cowardly attempts to break the will of the American people. But, those attacks failed to break the spirit of the American people and our democracy; and

WHEREAS, the will and spirit of the American people is strong and it cannot break; and

WHEREAS, leaders and citizens of other nations around the world have come forward to denounce the terrorist actions and to offer support for Americans; and

WHEREAS, the people of Illinois, while sharing the sense of outrage and resolve, are also embracing each other in this time of sorrow and shock and not allowing terrorism to blind our faith in democracy, where everyone's rights as citizens are protected; and

WHEREAS people across the globe, across the country and in Illinois in particular are pouring their hearts out to the victims and their families whose pain and suffering is beyond imagination; and

WHEREAS, in recognition of those who suffered and died at the hands of terrorists, President George W. Bush has requested the citizens and people of the America to come together for a national day of prayer and remembrance; and

WHEREAS, President Bush has asked all Americans to mark the importance of this event at NOON by participating in prayer and remembrance ceremonies in their church or at a public gathering or to privately observe the moment in their home or place of business;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 14, 2001, as A DAY OF PRAYER AND REMEMBRANCE IN ILLINOIS. I ask that all citizens of Illinois mark this occasion as a tribute to the victims of these attacks and as a testament to the strength of the American people

Issued by the Governor September 13, 2001.

Filed by the Secretary of State September 20, 2001.

2001-501

## LITHUANIAN-AMERICAN COMMUNITY, INC. DAYS

WHEREAS, Lithuanian's history as a nation dates back to the 13th century; and

WHEREAS, Lithuanian-Americans have played a significant part in the progress of Illinois and have proudly shared their culture, heritage, and talents with our State; and

WHEREAS, Chicago is home to a large Lithuanian community that is still strongly connected to its homeland; and

WHEREAS, Lithuanian-American Community, Inc. is celebrating its 50th Anniversary from October 11th through October 14th, 2001; and

WHEREAS, Lithuanian-American Community, Inc. has established and supported Lithuanian heritage groups, folk dance and song festivals, sports events and various cultural activities throughout the United States; and

WHEREAS, Lithuanian-American Community, Inc. is to be commended for its charitable work and help promoting Lithuanian causes;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 11-14, 2001, as LITHUANIAN-AMERICAN COMMUNITY, INC. DAYS in Illinois.

Issued by the Governor September 13, 2001.

Filed by the Secretary of State September 20, 2001.

2001-502

#### TWO RIVERS FESTIVAL DAY

WHEREAS, Aroma Park is a community that has demonstrated through the years a nurturing commitment to its residents; and

WHEREAS, United Methodist Church has always been a positive influence in and outside of its parish, demonstrating good will towards all; and

WHEREAS, Aroma Park and the United Methodist Church have demonstrated the strength that lies in unity by committing themselves to work together in order to provide a festival of celebration; and

WHEREAS, the 2nd Annual Two Rivers festival provides an outlet and source of pride for residents of the community;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 15, 2001, as TWO RIVERS FESTIVAL DAY in Illinois and encourage all citizens to recognize the significance of this festival in the history of Aroma Park and surrounding communities.

Issued by the Governor September 13, 2001.

Filed by the Secretary of State September 20, 2001.

2001-503

#### CHRISTOPHER COLUMBUS DAY

WHEREAS, Christopher Columbus and other distinguished Italians have played a significant role in the growth of American civilization; and

WHEREAS, the Italian American community has preserved and proudly shared their rich culture, heritage and talents with our State and its citizens; and

WHEREAS, Italian Americans have contributed greatly to Illinois in all areas of life including education, business, science, medicine, arts, sport, entertainment, and government; and

WHEREAS, the Joint Civic Committee of Italian Americans, founded in 1950, is an umbrella organization for more than 75 organizations dedicated to charitable causes and promoting Italian heritage and culture; and

WHEREAS, Vito P. Cali, President of the Joint Civic Italian American Committee, announces the annual 49th Christopher Columbus Day Parade will be held October 8, 2001, in Chicago; and

WHEREAS, Paul Butera is the General Chairperson of Christopher Columbus Day Parade; and

WHEREAS, State Senator James De Leo, who is commended for his many years of dedication and commitment to the Italian American community, will precede the 2001 Christopher Columbus Day Parade as Grand Marshal;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 8, 2001, as CHRISTOPHER COLUMBUS DAY in Illinois.

Issued by the Governor September 14, 2001.  
Filed by the Secretary of State September 20, 2001.

2001-504

#### BOB AND VIRGINIA WEAVER DAY

WHEREAS, Bob and Virginia Weaver started with a humble farm beginning in Peoria; and

WHEREAS, through hard work the Weaver family has been able to cultivate a legacy of the Weaver Angus Farm; and

WHEREAS, the Weaver success story was featured early on in a publication of Farm and Rural Interests in 1943; and

WHEREAS, since then, the Weaver Angus Farm has grown into an internationally respected source of Angus genetics and Angus promotion; and

WHEREAS, the Weaver Angus Farm is the only Angus operation that has exhibited cattle at every North American International Livestock Exposition over the past 25 years; and

WHEREAS, the list of Angus winners for Weaver Angus Farm in State and national competition is, without question, the longest and most impressive for any ongoing family operation over a period of more than six decades; and

WHEREAS, the Weaver family makes great contributions to the Angus farming industry; and

WHEREAS, the Weaver family hosted the very first Illinois Angus Field Day and have hosted three more field days since then; and

WHEREAS, the Weaver family has supported both the Illinois Junior Angus Association and the National Junior Angus Association; and

WHEREAS, Bob Weaver is always happy to provide financial assistance and incentives to young people and the Weaver Angus Farm junior incentive program is among the most lucrative in the industry; and

WHEREAS, Bob Weaver has recently retired as president of the family corporation so he and Virginia can devote their time to their grandchildren, their cattle, and their carriage collection; and

WHEREAS, each year Easter Seals - UCP hosts a dinner and honors a citizens of Peoria; and

WHEREAS, this year, the honorees at the November 2nd dinner will be Bob and Virginia Weaver;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim November 2, 2001, as BOB AND VIRGINIA WEAVER DAY in Illinois.

Issued by the Governor September 17, 2001.

Filed by the Secretary of State September 20, 2001.

2001-505

#### CHIEF JOHN EVERSOLE DAY

WHEREAS, John Eversole joined the Chicago Fire Department in February of 1969; and

WHEREAS, he is a certified Master Instructor through the State Fire Marshal's Office and is a fire service instructor for the Chicago City Wide Colleges and the University of Illinois; and

WHEREAS, he is also a lecturer and instructor for fire departments throughout the US and has taught in Canada, Japan, and South America; and

WHEREAS, he has served in a number of special projects, such as the Deep



Tunnel Project and Hazardous Incident Team and has aided in development of the confined space/collapse rescue operations; and

WHEREAS, he served on the Firefighter Safety Act Panel of the US Fire Administration which resulted from the Kansas City explosion and has served as a member of the America Burning Re-commissioned group; and

WHEREAS, he has recently retired from the Chicago Fire Department as the Chief of Special Functions which included hazardous materials, technical rescue, specialty apparatus, air sea rescue, and Office of Fire Investigations; and

WHEREAS, he chairs the Hazardous Materials Committee of the International Association of Fire Chiefs as well as the Hazardous Materials Professional Competency Standards Committee of the National Fire Protection Association; and

WHEREAS, he is a member of the InterAgency Board for equipment Standardization and Interoperability as well as various committees for the International Fire Service Training Association; and

WHEREAS, he has also been the recipient of many awards including: Instructor of the Year (IL Society of Fire Service Instructors); Partnership Award for Hazmat Safety (US DOT); President's Award (International Association of Fire Chiefs); Industrial Safety Achievement Award 96 Safety in the Public Interest (National Chemical Safety Associations); Mason Lankford Fire Service Leadership Award (Congressional Fire Service Institute) and the "Level A Award" (Hazardous Materials Committee of the International Fire Chiefs Association); and

WHEREAS, John Eversole's retirement party will celebrate his life-long dedication to making a positive difference in fire safety;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 25, 2001, as CHIEF JOHN EVERSOLE DAY in Illinois

Issued by the Governor September 17, 2001.

Filed by the Secretary of State September 20, 2001.

#### 2001-452 (REVISED) GERMAN AMERICAN DAY

WHEREAS, the first German immigrants arrived in the United States in October 1683; and

WHEREAS, today more than 60 million Americans trace at least a part of their ancestry to Germany; and

WHEREAS, the German American community accounts for the largest ethnic group in Illinois; and

WHEREAS, German Americans contributed greatly to the State of Illinois in all areas including arts, business, science, medicine, law, government, education and public services;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 6, 2001, as GERMAN AMERICAN DAY in Illinois.

Issued by the Governor August 17, 2001.

Filed by the Secretary of State September 20, 2001.

#### 2001-506 JOYCE TURNER HILKEVITCH

WHEREAS, Joyce Turner Hilkevitch has faithfully served as the executive director and president of Mostly Music since its founding in 1973; and

WHEREAS, in the past, Joyce Turner Hilkevitch, has tirelessly dedicated her

efforts as a community activist for urban renewal in Hyde Park, and on the Governor's Commission for the Advancement of Women; and

WHEREAS, Mostly Music provides quality performances and opportunities for young and emerging artists to showcase their talents; and

WHEREAS, Mostly Music reaches out to young people through its Teen Art Apprenticeship in African-American Studies, and through its Magic Carpet Series has presented more than 80 concerts this season to senior citizens; and

WHEREAS, Mostly Music has made significant contributions to the success of music within Chicago, and has diligently worked with local universities and other arts organizations to promote the understanding and appreciation of music; and

WHEREAS, Mostly Music's 20-year partnership with Northeastern Illinois University will result in the continuation of outstanding chamber music performances and educational programs;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, wish to congratulate Joyce on her retirement and 30 years of success in bringing quality music to the State of Illinois.

Issued by the Governor September 17, 2001.

Filed by the Secretary of State September 20, 2001.

#### 2001-507 STEVE NEAL DAY

WHEREAS, Steve Neal has been an active member of politics within the City of Chicago since 1979; and

WHEREAS, he is a devoted husband to Susan, and father to daughters Erin and Shannon; and

WHEREAS, since 1987 Steve Neal has been a popular and insightful columnist for the Chicago Sun-Times, with the ability to capture the attention of a wide spectrum of readers; and

WHEREAS, Steve Neal has received recognition for his ability to weave historical detail with present day politics on both a national and local level; and

WHEREAS, a former White House correspondent, Steve Neal is among the elite reporters who have participated in discussions with former Presidents Richard M. Nixon and Harry Truman, and is one of the few journalists who has interviewed former President Ronald Reagan across four decades; and

WHEREAS, Steve Neal is the author of an authoritative political history, "Dark Horse: a Biography of Wendell L. Wilkie," cited by American Heritage magazine as one of the most notable books of 1984; and

WHEREAS, Steve Neal is also the author of "Rolling on the River," a rich compilation of his Chicago Sun-Times body of work; and

WHEREAS, Steve Neal is celebrating the release of his new book, "Harry & Ike," an examination of the political relationship between former Presidents Harry Truman and Dwight Eisenhower; and

WHEREAS, Steve Neal is a favorite son of Illinois and Chicago;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 17, 2001, as STEVE NEAL DAY in Illinois.

Issued by the Governor September 17, 2001.

Filed by the Secretary of State September 20, 2001.

#### 2001-508

## AMERICAN BUSINESS WOMEN'S ASSOCIATION DAY

WHEREAS, the American Business Women's Association was formed in 1949 in Kansas City, Missouri, by a small group of dedicated working women; and  
 WHEREAS, the American Business Women's Association has grown to include 70,000 members and 1,500 chapters; and

WHEREAS, the American Business Women's Association is recognized for its commitment to learning as well as personal and professional growth; and  
 WHEREAS, through its support of educational endeavors, the American Business Women's Association has awarded more than \$12 million in scholarships; and  
 WHEREAS, the American Business Women's Association is dedicated to expanding a network of long-term, lasting relationships; and

WHEREAS, the members of this organization provide resources and services to each other in order to achieve success and financial security; and  
 WHEREAS, the dedication and commitment of American Business Women's Association members has propelled the organization's reputation to be known as being able to truly change women's lives;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 22, 2001, as AMERICAN BUSINESS WOMEN'S ASSOCIATION DAY in Illinois.  
 Issued by the Governor September 18, 2001.

Filed by the Secretary of State September 20, 2001.

2001-509

## GOLD STAR MOTHER DAY

WHEREAS, the American Gold Star Mothers, Inc. is an organization of mothers whose sons or daughters served and died so that this world might be a better place in which to live; and

WHEREAS, on May 28, 1918, President Wilson approved a suggestion made by the Women's Committee of the Council of National Defenses that, instead of wearing conventional mourning for relatives who have died in the service of their country, American women should wear a black band on the left arm with a gilt star on the band for each member of the family who has given his/her life for the nation; and

WHEREAS, American Gold Star Mothers was incorporated in Washington, DC, and granted a Federal Charter by the 98th Congress. That was in 1929, and in the years since, through times of war and times of peace, this organization of American mothers has changed, grown, and always been there when needed; and

WHEREAS, as the war progressed and men and women were killed in combat and others who were wounded and died of their wounds or disease, there came about the accepted usage of the Gold Star; and

WHEREAS, American Gold Star Mothers, Inc. is registered in the United States Patent Office, Legislative Branch of the United States Congressional Library and the United States World Book Almanac; and

WHEREAS, the American mother is doing so much for the home and for the moral and spiritual uplift of the people of Illinois and hence so much for the good of government and humanity that the Office of the Lieutenant Governor and the Illinois Department of Veterans' Affairs will co-host the Gold Star Mothers Recognition Day ceremony;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 30, 2001, as GOLD STAR MOTHER DAY in Illinois.  
 Issued by the Governor September 18, 2001.

Filed by the Secretary of State September 20, 2001.

2001-510

BREAST CANCER AWARENESS MONTH, OCTOBER AND MAMMOGRAPHY DAY,  
OCTOBER 19, 2001

WHEREAS, nearly 9,000 Illinois women will be diagnosed in 2001 with breast cancer and approximately 2,000 women in Illinois will die from the disease; and  
 WHEREAS, breast cancer can be cured if detected early; and

WHEREAS, only about 68 percent of breast cancer cases in Illinois are detected at the earliest and most curable stages, which can increase the survival rate to 96 percent to 98 percent; and

WHEREAS, research shows that deaths from breast cancer could be reduced if women follow breast cancer screening recommendations and obtain routine mammography, regular examinations by a physician and monthly self-examinations; and

WHEREAS, the Illinois Department of Public Health's Office of Women's Health strives to promote public awareness of breast health; and

WHEREAS, October is National Breast Cancer Awareness Month;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 2001 as BREAST CANCER AWARENESS MONTH in Illinois and October 19, 2001, as MAMMOGRAPHY DAY in Illinois, and I encourage women throughout the state to protect themselves through early detection.

Issued by the Governor September 19, 2001.

Filed by the Secretary of State September 20, 2001.

2001-511

## DAY OF REMEMBRANCE

WHEREAS, the Third Annual Parents of Murdered Children, Inc. National Day of Remembrance will be held September 25, 2001; and

WHEREAS, Parents of Murdered Children, Inc. is the only national self-help organization devoted solely to the aftermath and prevention of murder; and

WHEREAS, Parents of Murdered Children, Inc. provides the ongoing emotional support needed to help parents and other survivors facilitate the reconstruction of a "new life" and promote a healthy resolution; and

WHEREAS, the National Day of Remembrance brings its members together for a day of remembering their loved ones who have died by violence; and

WHEREAS, Parents of Murdered Children, Inc. provides an opportunity for public awareness of the need to stop violence; and

WHEREAS, the National Day of remembrance is open to all survivors, advocates, professionals and the general public;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 25, 2001, as DAY OF REMEMBRANCE in Illinois.

Issued by the Governor September 19, 2001.

Filed by the Secretary of State September 20, 2001.

2001-512

## CHILD HEALTH MONTH

WHEREAS, the protection and development of the health of children is a fundamental necessity to the future progress and welfare of Illinois; and



WHEREAS, the conservation and promotion of child health issues is of the utmost importance and places upon us a grave responsibility; and

WHEREAS, it is appropriate that a day should be set apart each year for the direction of our thoughts towards the health and well-being of our children; and

WHEREAS, the Illinois Department of Human Services and the University of Illinois at Chicago's Division of Specialized Care for Children, through their unique community-driven approach to meeting the needs of children including those with special health care needs and their families, has made it considerably easier for parents to get their children the care they need today to ensure their children a better tomorrow;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 2001 as CHILD HEALTH MONTH in Illinois.

Issued by the Governor September 25, 2001.

Filed by the Secretary of State September 27, 2001.

#### 2001-513

##### CHRONIC OBSTRUCTIVE PULMONARY DISEASE AWARENESS MONTH

WHEREAS, Chronic Obstructive Pulmonary Disease, or COPD, refers to a number of chronic lung disorders that obstruct the airways, the most common of which include chronic bronchitis and emphysema; and

WHEREAS, an estimated 16 million Americans have COPD, with approximately 80 to 90 percent of cases caused primarily by cigarette smoking; and

WHEREAS, COPD claims the lives of approximately 107,000 Americans annually, and is the fourth leading cause of death in the United States; and

WHEREAS, the estimated cost to the nation for COPD is approximately \$30 billion annually; and

WHEREAS, the purpose of designating October as COPD Awareness Month is to increase public awareness of these conditions and their risk factors, and improve early diagnosis and treatment;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 2001 as CHRONIC OBSTRUCTIVE PULMONARY DISEASE AWARENESS MONTH in Illinois.

Issued by the Governor September 25, 2001.

Filed by the Secretary of State September 27, 2001.

#### 2001-514

##### COLLISION REPAIR INDUSTRY PRIDE MONTH

WHEREAS, the Board of Directors of the National Auto Body Council has declared the month of October as Collision Repair Industry Pride Month; and

WHEREAS, the goal of Collision Repair Industry Pride Month is to generate interaction between the different segments of the collision repair industry and to help establish the positive image of an essential and professional industry; and

WHEREAS, through Collision Repair Industry Pride Month, members of the National Auto Body Council want to educate the public about collision repair shops, repair safety issues and what to look for when selecting a collision repair shop; and

WHEREAS, the State of Illinois commends the members of the National Auto Body Council for their efforts to educate our citizens about the collision

industry and foster improved relations between the industry and consumers; THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 2001 as COLLISION REPAIR INDUSTRY PRIDE MONTH in Illinois.

Issued by the Governor September 25, 2001.

Filed by the Secretary of State September 27, 2001.

#### 2001-515

##### DISABILITY EMPLOYMENT AWARENESS MONTH

WHEREAS, Illinoisans with disabilities have an unemployment rate of nearly 70 percent in spite of the Americans with Disabilities Act; and

WHEREAS, the U.S. Census Bureau estimates that there are more than 800,000 individuals with disabilities in the State who are of working age; and

WHEREAS, approximately 7 out of 10 unemployed working-age citizens with disabilities indicate that they would prefer to work; and

WHEREAS, citizens with disabilities live in poverty at a rate roughly three times the State average; and

WHEREAS, the Illinois Department of Human Services' Office of Rehabilitation Services has helped more than 6,700 individuals find quality employment last year; and

WHEREAS, the Department has a goal of doubling the number of people they help in obtaining employment by June 30, 2003; and

WHEREAS, people and disabilities are dedicated, skilled employees who are a positive influence in the workforce; and

WHEREAS, there are numerous tax incentives for Illinois employers to hire and provide accommodations to qualified workers with disabilities; and

WHEREAS, the Illinois Department of Human Services' Office of Rehabilitation Services is holding numerous statewide events to promote the employment of citizens with disabilities and to thank employers who have excelled in employing workers with disabilities;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 2001 as DISABILITY EMPLOYMENT AWARENESS MONTH in Illinois.

Issued by the Governor September 25, 2001.

Filed by the Secretary of State September 27, 2001.

#### 2001-516

##### GENESIS AT THE CROSSROADS MONTH

WHEREAS, Genesis at the Crossroads, Inc., a Chicago-based non-profit organization founded in 1999, promotes and organizes annual events showcasing the Middle East's multi-faceted heritage through the performing, visual and culinary arts; and

WHEREAS, its mission is to promote awareness, appreciation and celebration of diversity and foster diversity education in the public and private school systems; and

WHEREAS, Genesis at the Crossroads, Inc. brings together Arab, Jewish, and Persian community members and leaders to embrace their rich cultural traditions and dialogue on an individual level; and

WHEREAS, Genesis at the Crossroads, Inc. will produce "A Cabaret of Middle Eastern Culture" at the Chicago Cultural Center on October 28, 2001; and

WHEREAS, the Governor's Office of Ethnic Affairs will sponsor a Genesis at the Crossroads exhibit at the James R. Thompson Center October 8th to October

20th, 2001; and

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 2001 as GENESIS AT THE CROSSROADS MONTH in Illinois.

Issued by the Governor September 25, 2001.

Filed by the Secretary of State September 27, 2001.

#### 2001-517

##### HISPANIC MENTAL HEALTH WEEK

WHEREAS, more than 40 million Americans of all ages, races and ethnic groups suffer from mental health problems; and

WHEREAS, mental illness is often perceived as a social stigma in the Hispanic community, and it is of the utmost importance to increase public awareness and understanding of mental wellness; and

WHEREAS, the Latino Family Institute and the Latin International Network of Mental Health have forged partnerships with the Illinois Department of Human Services, the Chicago Department of Public Health and other agencies, organizations and institutions at an international level to provide mental, emotional disorder screenings, lectures, consumer information and symposiums;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 1-7, 2001, as HISPANIC MENTAL HEALTH WEEK in Illinois.

Issued by the Governor September 25, 2001.

Filed by the Secretary of State September 27, 2001.

#### 2001-518

##### PEDIATRIC CANCER AWARENESS MONTH

WHEREAS, Pediatric Cancer is, by far, the number one cause of death by disease in our children and sadly diagnosis has grown to over 12,400 children annually; and

WHEREAS, Bear Necessities Pediatric Cancer Foundation, a not-for-profit organization, is dedicated to fight this devastating disease by improving the equality of life for pediatric cancer patients and their families; and

WHEREAS, Bear Necessities is furthering advancements in research and in general raising awareness of pediatric cancer;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 2001 as PEDIATRIC CANCER AWARENESS MONTH in Illinois.

Issued by the Governor September 25, 2001.

Filed by the Secretary of State September 27, 2001.

#### 2001-519

##### POLISH AMERICAN HERITAGE MONTH

WHEREAS, Polish immigrants sought freedom, democracy, and a better way of life in America and brought with them their cherished national customs, their love of closely knit family life, and their love for their adopted country; and

WHEREAS, October is a national observance focusing on the many contributions of Polish Americans to the fields of science, medicine, business, law, industry, public service, education, and the arts; and

WHEREAS, in October, we join Americans of Polish descent to celebrate their priceless heritage of humanitarianism, tolerance, and democracy; and

WHEREAS, the Polish Museum of America will sponsors a Polish American

Heritage Celebration and Polish American Heritage Children's Art Contest; and WHEREAS, the Polish American Congress will sponsor several events including the Annual Heritage Award Banquet honoring Polish American Business and a Gala Opening Celebration of Polish American Heritage Month with a musical program and reception at the Chicago Cultural Center; and

WHEREAS, the Polish Women's Alliance will sponsor Polish heritage events including "Wycinanki: Poland's Art of Paper Cutting" workshop for students; and WHEREAS, the Council of Educators in Polonia will sponsor a Polish heritage celebration at Northeastern Illinois University featuring the Lira Singers;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 2001 as POLISH AMERICAN HERITAGE MONTH in Illinois.

Issued by the Governor September 25, 2001.

Filed by the Secretary of State September 27, 2001.

#### 2001-520

##### WILL MCGAUGHY DAY

WHEREAS, Will McGaughy has served the East St. Louis community for more than 40 years; and

WHEREAS, Will McGaughy was involved in local civil rights efforts which helped break down barriers to employment for East St. Louis residents; and

WHEREAS, Will McGaughy assisted East St. Louis residents in finding jobs in banking and public institutions; and

WHEREAS, Will McGaughy, as Director of the Health, Education and Welfare Department of the City of East St. Louis, was instrumental in bringing much needed services to low-income families; and

WHEREAS, Will McGaughy was recognized by the Metro-East Health Services Council for his outstanding leadership and dedicated services by naming the Will McGaughy Health Center in his honor; and

WHEREAS, the citizens of East St. Louis have continuously benefited from Will McGaughy's representation on the St. Clair County Board; and

WHEREAS, Will McGaughy served as East St. Louis Township Supervisor for 12 years, from 1989 to 2001, providing important township services to the people of East St. Louis; and

WHEREAS, Will McGaughy chose to retire in the year 2001 as East St. Louis Township Supervisor and County Board Member; and

WHEREAS, a retirement banquet honoring Will McGaughy was held September 7, 2001, at the Clyde C. Jordan Senior Citizens Center in East St. Louis;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 1, 2001, as WILL MCGAUGHY DAY in Illinois.

Issued by the Governor September 25, 2001.

Filed by the Secretary of State September 27, 2001.

#### 2001-521

##### ENRICO FERMI DAY

WHEREAS, Enrico Fermi was born on September 29, 1901, in Italy; and WHEREAS, Enrico Fermi received his doctorate from the University of Pisa in 1922; and

WHEREAS, Enrico Fermi was elected the first professor of theoretical physics at the University of Rome; and

WHEREAS, Enrico Fermi, a physicist, made immense and lasting contributions



to the birth of modern physics, carrying out experiments and theoretical studies that ushered in the atomic age; and

WHEREAS, Enrico Fermi's observations have led to the discovery of nuclear fission and the production of artificial elements; and

WHEREAS, Enrico Fermi was awarded the prestigious Nobel Prize in Physics in 1938 for his Neutron research; and

WHEREAS, Enrico Fermi immigrated to the United States and conducted a series of experiments that eventually led to the atomic pile and the first controlled nuclear chain reaction which was observed by his team on December 2, 1942 in Chicago; and

WHEREAS, Enrico Fermi became a United States citizen in 1944; and

WHEREAS, Enrico Fermi served as Associate Director of the Los Alamos Scientific Laboratory in New Mexico; and

WHEREAS, Enrico Fermi, at the end of the World War II, accepted a position at the Institute for Nuclear Studies at the University of Chicago, where he established a world renown school of physics; and

WHEREAS, on Saturday, September 29, 2001, 100 years after his birth, the U.S. Postal Service is dedicating a stamp to honor the great University of Chicago scientist, Enrico Fermi;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim September 29, 2001, as ENRICO FERMI DAY in Illinois.

Issued by the Governor September 26, 2001.

Filed by the Secretary of State September 27, 2001.

2001-522

**SAINT GILES PARISH DAY**

WHEREAS, the Parish of Saint Giles is celebrating its 75th anniversary of service to the Oak Park community; and

WHEREAS, the Parish of Saint Giles was founded by Cardinal Mundelein who named the parish after Saint Giles the "Patron Saint of the Handicapped"; and

WHEREAS, Cardinal Mundelein appointed Reverend Lawrence Frawley as the first pastor of Saint Giles on June 17, 1927; and

WHEREAS, in 1928 the Parish of Saint Giles had built its church and school building in which to provide parochial services to the growing community; and

WHEREAS, Saint Giles Parish has grown and developed at a steady pace from its founding in 1927 through the depression years, the war years, and the post war boom; and

WHEREAS, Saint Giles Parish complex currently consists of six buildings, housing preschool through 8th grade classes, a religious education office, the rectory and convent; and

WHEREAS, Saint Giles Parish is currently led by the Reverend Thomas Dore and serves a community of over 2,000 households in the Oak Park and the Galewood communities; and

WHEREAS, Saint Giles Parish's commitment to community growth and development through its educational and parochial services has helped to build a healthier society and future for the citizens of Illinois; and

WHEREAS, on October 13, 2001, the members of the community will join together to celebrate their church's 75th Anniversary at the Rosemont Convention Center;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 13, 2001, as SAINT GILES PARISH DAY in Illinois.

Issued by the Governor September 26, 2001.

Filed by the Secretary of State September 27, 2001.

2001-523

**SISTER CITY OF GEDERN, GERMANY DAY**

WHEREAS, German immigrants have made significant contributions to our country; and

WHEREAS, German-American Day is celebrated annually on October 6, in honor of those contributions; and

WHEREAS, this year on October 5, Sister Cities of Columbia will welcome 80 visitors from their sister city of Gerdern, Germany, for a 10-day stay; and

WHEREAS, the Sister Cities of Columbia will host a welcome dinner and dance for their guests on October 6 at the American Legion Hall in Columbia; and

WHEREAS, the visiting band, Seementaler Musikanten, composed of visitors from the sister city of Gerdern, Germany, will be providing the music for the dance; and

WHEREAS, representatives of the respective sister city organizations of Belleville, Millstadt, and Waterloo will be in attendance at the welcoming dance;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 6, 2001, as SISTER CITY OF GEDERN, GERMANY DAY in Illinois and wish our visitors an enjoyable stay.

Issued by the Governor September 26, 2001.

Filed by the Secretary of State September 27, 2001.

2001-524

**SOUTHWEST WOMEN WORKING TOGETHER DAY**

WHEREAS, Southwest Women Working Together (SWWT) is a community-based, not-for-profit organization that serves women and children primarily from the south and southwest sides of Chicago; and

WHEREAS, the mission of SWWT is to recognize and free the potential of women; and

WHEREAS, SWWT works to empower women, expand their options and promote the fundamental rights of women and children; and

WHEREAS, SWWT serves the economically, racially, and ethnically diverse south side of Chicago; and

WHEREAS, each year, SWWT serves over 12,000 women, children, and community members; and

WHEREAS, SWWT provides a full continuum of programs that allow women to address life-crisis issues, set goals, and achieve self-determination; and

WHEREAS, SWWT uses collaborative and complementary ties with community organizations and city/state agencies to strengthen program operations, attain goals of empowerment for women, and education the public on issues facing women today; and

WHEREAS, in recognizing October as Domestic Violence Month and honoring the agency's 25 years of service to women and children, SWWT will hold a 25th Anniversary Gala on October 4, 2001; and

WHEREAS, SWWT was founded on October 17, 25 years ago;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 17, 2001, as SOUTHWEST WOMEN WORKING TOGETHER DAY in Illinois.

Issued by the Governor September 26, 2001.  
Filed by the Secretary of State September 27, 2001.

2001-525  
VILLAGE OF OAK PARK DAY

WHEREAS, Oak Park's roots as a community stretch back 150 years; and  
WHEREAS, Oak Park was an independent municipality until November 1901 when it broke away from Cicero Township by referendum; and  
WHEREAS, the independent Village of Oak Park opened its doors in January 1902; and  
WHEREAS, the Village of Oak Park will celebrate its 100th birthday in the fall of 2001 and continue the Century of Promise celebration through 2002;  
THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim October 6, 2001, as VILLAGE OF OAK PARK DAY in Illinois.  
Issued by the Governor September 26, 2001.  
Filed by the Secretary of State September 27, 2001.

Rules acted upon during the calendar quarter from Issue 30 through Issue 42 are listed in the Issues Index by Title number, Part number and Issue number. The letter "R" designates a rule that has been repealed. Inquiries about the Issue Index may be directed to the Administrative Code Division at 217-782-4414.

<b>PROPOSED</b>	50-802-39 R	92-552-40 R	77-1100-34
2-3002-32	50-803- 39 R	92-556-32	77-1110-34
8-80-37	50-804-39 R	92-557-31	77-1130-34
8-85-37	50-805-39 R	92-1000-41	77-2060-35
8-40-37	50-919-30	92-1030-40	80-150-34
8-105-37	50-2012-30		80-310-31
8-110-37	56-2770-40	<b>ADOPTED</b>	80-310-38
8-115-37	56-2920-35	2-3002-41	80-1006-32
8-259-31	56-6000-38	11-1171-41	80-2160-33
8-950-38	59-119-32	17-530-35	83-550-40
11-210-35	62-250-34	17-550-31	83-590-36
11-436-35	68-610-37	17-570-31	83-727-30
11-603-35	68-1285-38	17-670-36	86-107-30
11-1413-35	68-1335-39	17-690-31	86-130-34
14-180-31	68-1440-31	17-715-36	86-150-34
14-515-30	68-1456-30	17-720-36	89-112-33
14-545-34 R	77-255-32	17-730-36	89-114-33
14-545-34	77-615-39	17-740-36	89-121-34
17-590-30	77-657-34	17-810-36	89-121-37
17-710-31	77-690-39	17-1080-31	89-121-37
17-760-37	80-303-39	17-2520-36	89-140-37
17-810-41	80-310-31	20-504-34	89-148-33
17-2530-31	80-310-38	20-1210-41	89-301-37
17-3030-37	80-310-40	20-1528-39	89-302-37
20-117-36	80-1100-30	35-254-31	89-309-37
20-1295-34	83-732-32	35-307-34	89-315-37
20-1530-31R	83-728-38	35-310-34	89-553-37
20-1540-31R	86-100-34	35-617-35	89-727-30
20-1550-31R	86-100-35	35-704-35	83-425-32
23-1-37	86-100-36	35-742-33	86-107-30
23-25-36	86-100-37	41-100-37	86-130-41
23-35-37	86-100-38	41-120-37	89-140-41
23-24-36	86-100-39	44-950-34	89-300-41
23-120-40	86-100-40	44-980-34	92-544-35
23-151-36	86-100-41	44-1000-37	92-1030-40
23-205-36	86-130-37	44-1130-37	<b>EMERGENCY</b>
23-220-36	86-130-38	47-360-40	8-950-38
23-225-36	86-130-39	47-368-40	14-180-31
23-228-36	86-150-39	50-2003-32	14-515-30
23-235-36	86-511-34	50-2109-37	14-550-30
23-245-36	86-530-35	50-5425-37	17-810-31
23-575-36	86-710-35	56-350-32	17-810-38
29-301-33	89-14-30	56-365-32	20-1293-32 R
32-336-32	89-101-36	59-112-34	23-25-37
32-700-41	89-102-31	68-1140-34	23-1501-41
35-240-36	89-102-34	68-1215-34	32-336-32
35-276-35	89-113-40	68-1220-34	56-2920-32
35-620-38	89-120-33	68-1440-40	80-303-39
35-742-38	89-120-34	71-2300-30	83-728-38
35-887-36	89-140-34	74-330-36	83-732-32
50-801-39 R	89-140-40	74-900-36	89-112-36
	89-148-40	77-695-36	89-120-33
	89-148-41	77-710-35	89-148-31
	89-148-31	77-775-37	89-148-41
	89-357-32	77-775-40	92-1030-40
	89-434-32	77-785-40	